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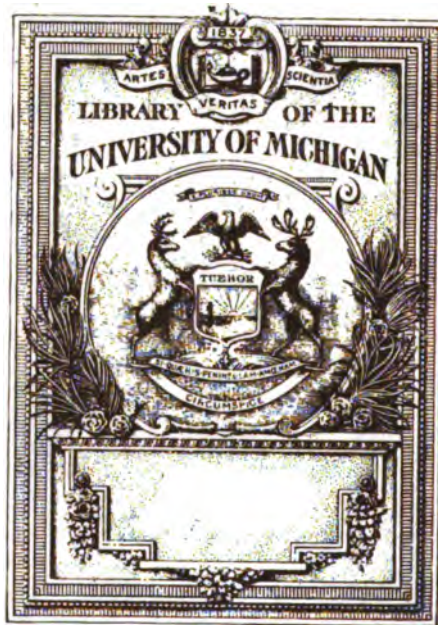
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THE GIFT OF
Mich. Dairy & Food Commissioner

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TWENTY-THIRD ANNUAL REPORT

OF THE

DAIRY AND FOOD COMMISSIONER

OF THE

STATE OF MICHIGAN

FOR THE

YEAR ENDING JUNE 30, 1916.



BY AUTHORITY

LANSING, MICHIGAN
WYNKOOP HALLENBECK CRAWFORD CO., STATE PRINTERS
1916.

MICHIGAN DAIRY AND FOOD DEPARTMENT.

JAMES W. HELME	Commissioner
BURR B. LINCOLN	Deputy Commissioner
F. L. SHANNON	State Analyst
M. J. SMITH	Chief Clerk
H. D. WENDT	Clerk
MISS GLADYS DAME	Clerk
MISS RUTH HOARE	Clerk
MISS LILLIAN POMEROY	Clerk
MISS PAULINE PHILLIPS	Stenographer
MISS CHARLOTTE MARSHALL	Stenographer
MISS IDA M. HARRIS	Bookkeeper
MISS NAN CHILDS	Chemist
W. C. GEAGLEY	Chemist
WALDO L. SCOVILL	Chemist
JOHN T. ROWE	Regular Inspector
C. V. JONES	Regular Inspector
WM. J. MICKEL	Regular Inspector
JAMES E. HELBER	Regular Inspector
EUGENE P. BERRY	Regular Inspector
R. E. WOODRUFF	Regular Inspector
CHAS R. WEBB	Regular Inspector
F. M. DILLON	Regular Inspector
MRS. MYRA C. WHEELAN	Special Inspector
THOS. J. KELLY	Special Inspector
O. M. EDSON	Special Inspector
E. H. SHULER	Clerk and Messenger

DRUG INSPECTION.

A. R. TODD	Drug Analyst
CHAS. A. BUGBEE	Drug Inspector
M. A. JONES	Drug Inspector

LETTER OF TRANSMITTAL.

DAIRY AND FOOD DEPARTMENT,
Lansing, Michigan.

Hon. Woodbridge N. Ferris, Governor:

Sir: In accordance with the provisions of the Act creating the Dairy and Food Department, I herewith transmit to you the report of the operations of this Department in detail for the year ending July 1st, 1916.

FINANCES.

The annual appropriation for the support of this Department is \$35,000, and in addition it derives certain license revenues from creameries, milk dealers, ice cream manufacturers, commission merchants and bottlers of soft drinks. During the past fiscal year over \$12,000 was collected from these various sources leaving the Department an available fund for the fiscal year of \$47,765.12. During the year there has been expended in operations of the Department \$42,864.10, leaving a balance to be covered into the State Treasury at the end of the year of \$4,901.02.

The Drug Department receives a yearly appropriation of \$6,000. Of this there was expended during the year \$5,643.18, leaving a balance to be covered into the State Treasury of \$356.82. Combining the two, after running the Department for the fiscal year, there was turned back to the general fund unused appropriations of \$5,257.81.

One year ago I reported \$9,000 turned back into the State Treasury and this included over \$5,000 that was received from licensing stock feeding stuffs in the State. The Legislature of 1915 took this feeding stuffs license away from the Dairy and Food Department and placed it with the Agricultural College. As a result this Department was deprived of \$5,000 of revenues. Had I received this my showing would have been much better and exceeded that of last year by over \$1,000 in money turned into the State Treasury.

This financial showing I regard as an excellent one when we consider that two years ago the enforcement of the new weights and measures law was placed with this Department and we have done an immense amount of work along this line without any additional appropriation. A full account in detail of the operations of the Weights and Measures Department will be found hereafter in the report of Deputy Commissioner Lincoln whom I placed in charge of the Weights and Measures Division.

DAMAGE BY FIRE.

On February 24th, 1916, about six o'clock in the morning, the writer discovered a fire in progress in the laboratory of the Department. He at once summoned the fire department by telephone but, owing to the location of the fire, it being in the center of the old State Building, and the stifling smoke caused by the burning of chemicals, the fire department was unable to subdue the flames for some hours. As a result, damage was done to the building to the extent of over \$10,000 and the laboratory itself was practically a wreck. As a result of this fire the operations of the Department were curtailed for several months until the laboratory could be restored, and the collection of samples by inspectors was abandoned for several weeks, and the clerical and educational facilities of the Department were also badly hampered. Notwithstanding this disaster, the operations of the Department during the year, while conducted at a less expense than ever before, have exceeded any record in the Department's history.

INSPECTIONS DURING THE YEAR.

There were employed during the year on an average of eight regular food inspectors whose duties were to inspect stores, restaurants, hotels and other places where food is manufactured or stored. We have three dairy inspectors who inspect creameries and farm dairies, and two drug inspectors who inspect the drug stores of the State.

During the year these inspectors have made 19,129 inspections, being nearly 3,000 more than we made last year without any handicaps. Of these, 16,083 were food inspections, 809 were dairy inspections and 2,206 were drug inspections, and 31 soft drink establishments were inspected under the new law.

During the year I have had two practical and experienced experts in dairy and cheese making devoting their entire time to the inspection of butter and cheese factories and an additional expert of this character who is engaged in the educational work of showing dairies and creameries of the State how to produce a better product in a more economical manner.

The number of food samples sent in by inspectors during the year was 1,304 which on being analyzed 1,040 were found to be legal and 264 were found to be either adulterated or misbranded. Of the 445 drug samples sent in by the Drug Inspectors 311 were found to be legal and 134 illegal. The number of samples taken up and analyzed is somewhat less than in former years owing to the fact that the laboratory was out of commission for several months on account of the fire and also because the rigid enforcement of the food laws in the past few years has resulted in fewer violations of the law.

The economy of combining the Weights and Measures with the Dairy and Food Department is shown by the record made by the Inspectors in the examination of the weights and measures. Not only did our inspectors make nearly 20,000 inspections last year in drug and grocery stores, which is the largest number ever made in the Department, at a less cost than the previous year, but at the same time, during these inspections they examined the large number of 75,074 weights, scales, measures, yard sticks, tapes and baskets. Of this number 19,696 were

found to be incorrect. Of that number 1,101 were adjusted by the inspectors and the balance were tagged as incorrect and repairs ordered. A full and detailed account of the various kinds of scales and measures examined will be found in a further page of this report.

PROSECUTIONS.

During the two previous years of my administration prosecutions were the greatest in the history of the Department. Whereas my predecessors averaged only about 40 prosecutions a year with 32 convictions, during the first two years of my term nearly 300 cases were commenced annually and over 200 convictions secured. The result of the vigorous prosecution of the law is shown in the decreased number of prosecutions this year. Law violators have been convinced by our work in the past that the Department means business, that after a warning, if the offense is continued, we will prosecute. As a result of this vigorous policy there have been fewer violations of the food laws and weights and measures laws. Notwithstanding the fact that we have made more inspections and done more work and have showed greater activity during the past year than ever before, we have only started 104 cases during the year, in addition to the 57 cases that were pending at the commencement of the year. During the year we secured 99 convictions, 7 defendants were acquitted and 9 were discharged by us after investigation and 47 cases are still pending. I believe the coming year will show even less prosecutions because there seems to be now a general disposition to obey the laws governing the Department.

EDUCATIONAL WORK.

Our educational work has not been neglected during the year, in fact it seems to be growing. During the year the writer has addressed Women's Clubs, church societies, granges and farmers' institutions all over the State explaining to them the workings of the Department and distributing literature relating thereto. Our pamphlets on Food and Food Values and Clean Cows and Clean Stables continue to have a large circulation and we have requests for them from every state in the union. We have also issued several new pamphlets governing the care of milk and the making of butter, and Hints to Housewives relative to proper weights and measures. Occasional press bulletins are sent from time to time to the leading newspapers of the State on timely subjects regarding the Department and these are universally published.

BOTTLING OF SOFT DRINKS.

In the fall of 1914 the State Bottling Association, agreeing with the Department that there was much need for better inspection and more cleanly premises in soft drink bottling, requested the writer to frame a soft drink law to regulate the sale and manufacture of soft drinks in this State. I drafted a bill which was passed by the Legislature of 1915 and which constitutes the first soft drink law to go on the statute books of any state in the union. The National Bottlers Association was opposed to this bill because they believed it to be an entering wedge for other states but the Michigan Bottlers Association backed up the Department in its efforts to have the bill passed. The bill provides for a

license from all manufacturers of carbonated beverages and under the terms of the bill \$1,565 have been collected from the bottlers during the year and transferred into the State Treasury. In return for this the Department placed an inspector in the field whose special business was to inspect soft drink establishments and many abuses have been corrected through his efforts. The expense of the inspector has been less than half the amount paid in by the bottlers' association for licenses.

We have continued our supervision of the commission merchants in the State under the law of 1913. During the year 64 commission merchants were licensed to sell farm products and they paid into the State Treasury for licenses the sum of \$1,840 which is about ten times as much as it costs to look after them. Quite a number of complaints have been made under the law against commission men by consignees of farm produce. Under the law it becomes the duty of the Department to adjust these cases if possible. In every case an adjustment satisfactory to the consignee was secured by agents of the Department.

INSPECTION OF FEEDING STUFFS.

The Legislature of 1915 removed from this Department the inspection and licensing of feed stuffs, to the Agricultural College. It was claimed by the College that this Department was not properly inspecting feeding stuffs in the State and that they needed the revenue of \$5,000 to make feeding experiments at the College for the benefit of the farmers. The claims of the College were without foundation. We were vigorously enforcing the feeding stuff law. We had all our inspectors, some ten or twelve in number, taking samples and inspecting stock feeds. We found some violations of the law and they were vigorously handled and the entire license fees of \$5,000 were turned into the State Treasury as we have our inspectors in the field on other stuffs and it cost the State practically nothing to enforce this law. Since the enforcement of this law has been with the College only one inspector has been on the job and part of the time no inspectors have been looking after feed stuffs, and as to feeding experiments, if the College performed any with the revenues derived from these licenses they have been kept secret by the authorities of the College and no bulletins have been issued concerning them to the masses of the people. One thing is certain, that the \$5,000 that in previous years had been yearly turned into the State Treasury by this Department, is now resting securely in the Treasury of the Agricultural College to be spent by them for other purposes. No prosecutions have been instituted by the College during the year although our inspectors have noticed many violations of the feeding stuff law. The law under which the College operates and which was drafted by college authorities is defective and it is doubtful if anyone can be prosecuted under it. The proper and economical place for the inspection of the feeding stuffs is with this Department and my recommendation to the next Legislature, is that an improved law be passed and the enforcement of it be placed with this Department.

STATE BUTTER BRAND.

The Legislature of 1915 passed a law providing for a State brand for butter of uniform quality and placed the working out of the details

in the hands of the Dairy and Food Department. On another page of this report will be found an article on this subject by Mr. H. D. Wendt who has been in charge of the educational work in the creamery department. The Commission provided by law has had a meeting and has provided the various details for the use of State Brand Butter which will be found elsewhere. Several creameries have been licensed to use the State brand and there are quite a number of applications on file. I regard this matter of State Brand Butter to be one of the most far reaching moves in the creamery business. Denmark, by reason of her state brand, has brought the manufacture of butter to a very high state and exports more butter than any other country in the world, all because the state brand secures uniformity. State Brand Butter is now in the market and we are making every effort to keep it above the standard established and we believe it is only a question of time when the Michigan State Brand on a tub of butter will be equal to the Denmark brand of efficiency.

We have, during the year, organized a large number of creameries upon a real co-operative basis and these creameries are, with few exceptions, meeting with great success. We have gone further and organized a large number of co-operative creameries into a federation whereby they will make a uniform product and buy supplies altogether to their mutual advantage. We also are trying to develop markets for State Brand Butter and in every way that we can we are assisting the creameries to solve their problems both of manufacture and marketing. No state in the union at this time is doing as much as the State of Michigan, through this Department, to develop the manufacture and marketing of high grade butter and cheese.

An investigation by this Department of Babcock test bottles used in buying cream disclosed the fact that there were a large number of different types of bottles and that many of them were incorrect. The Legislature of 1915 at the suggestion of the Department passed a law providing for standard specifications of Babcock test bottles. Upon its going into effect we established apparatus in the Department at Lansing for the testing and marking of all test bottles used in buying milk and cream. We also made a ruling that all manufacturers that sold bottles in the State should first send their bottles to this Department to be by us tested and forwarded to the purchaser. This saves our inspectors from wandering all over the State and testing bottles at various creameries. During the fiscal year the Department has tested Babcock bottles to the number of 60,315. Of this number 8,000 were found to be incorrect and returned to the manufacturer. The balance found correct were marked with a sand blast "SGM" and sent to the various creameries in the State. This forms another new field that the Department has taken up without any increased appropriation. The law also provides for specifications for scales in weighing the cream and we have inspected these scales. The small insignificant scale used to buy cream does not attract much attention but more money is paid the producer based upon the weights shown by these scales than is paid by all the platform and stock scales in Michigan.

LITIGATION.

Three decisions have been rendered by the Supreme Court on laws bearing directly on the Dairy and Food Department. Inspectors of this Department attempted to inspect the food stuffs in the Detroit House of Correction. They were refused admission by the Superintendent on the ground that the institution was a public one and our inspectors had no right to inspect the food stuffs in same. I at once ordered a prosecution instituted against the Superintendent and secured his conviction in the Recorder's Court. He took an appeal to the Supreme Court which sustained the position of the Department by divided court.

The Legislature in 1913 passed a law limiting the amount of cereal in sausage. Bay City butchers combined to make a test case and upon the conviction of one of their number the case was taken to the Supreme Court on constitutional grounds. The head of this Department prepared a brief in favor of the law that was attacked and the Supreme Court in a unanimous opinion rendered a decision sustaining the law. Incidentally the decision is far reaching and can be used to sustain various other food laws should they be attacked.

The Legislature of 1913 passed a deceptive advertising law and this Department prosecuted a Detroit dealer under the same for deceptive advertising food product. The law was drafted by the head of this Department and in the Recorder's Court the Judge dismissed the case on the ground that the law was unconstitutional. The head of this Department brought mandamus proceedings to test the decision of the Recorder's Court and the Supreme Court in a unanimous decision sustained the deceptive advertising law in every particular and ordered the lower court to proceed with the trial of the case.

NEEDED LEGISLATION.

The Dairy and Food Department is in existence because of the fact that unscrupulous dealers of food products could not be depended on to sell pure goods or to weigh them properly. It is also in existence to give educational work to the Dairies and creameries of Michigan. It always seemed to me that the retail dealers and other persons benefited by the operations of the Department should stand the expense thereof and not the general public. I believe that revenues should be derived from the persons benefited by the Department to pay the expenses thereof. We do this in part now. Much more might be done.

In Pennsylvania and Iowa a much larger amount of money is spent by the Dairy and Food Department than we spend in Michigan. The Departments in these two States not only pay all expenses but return a surplus to the State in revenue from fees collected by the Department. I believe this to be the proper system and if two or three laws were passed in Michigan the Dairy and Food Department would be self sustaining.

I would again recommend the passage of the pure liquor law that I recommended two years ago. At that time the bill passed the House but failed in the Senate. It would have brought in several thousand dollars revenue to the Department all of which would have been paid by people outside of the State. It may be said that the State will go dry and thus take away this revenue. Such is not the fact for liquor would still be kept in every drug store in Michigan.

There are hundreds of platform scales in the State. This type of scale needs adjusting yearly. If the stock buyer or the coal dealer wishes to have these scales tested he is obliged to send to Chicago for a scale expert who can only do an efficient job of testing provided he has 2,000 pounds of weights. The dealer is obliged to pay \$10 a day and expenses for this man. In Iowa the Dairy and Food Department has rigged up an automobile which carries two inspectors and a ton of weights. They go into various towns and inspect the large scales for \$6.00 each. This is much cheaper than the dealer can get it done for by private individuals and at the same time it is a revenue producer for the State. A law of this kind might be enacted. Certain types of scales which are owned outside of the State might be taxed specifically. In some States all restaurants are required to be inspected and post a score card furnished by the Dairy and Food Department for which they pay a license of \$3.00 annually. In Pennsylvania all retail dealers of oleomargarine pay a small State license which nearly supports the Department.

I could suggest a dozen laws whereby sufficient revenue might be obtained by this Department to sustain it and no one be oppressed or injured. This is the correct way to reduce taxation in the State. All Departments, so far as can be, should be self sustaining from fees derived by their operation. We also need in this State a law requiring that the sale of all commodities be made in quart measures or multiples. The Supreme Court has sustained a similar law in North Dakota. We are having much trouble at the present time from vinegar which is sold at a very low price in the State and which is made from the dried waste of evaporating factories. This practice destroys the sale of Michigan cider apple, subjects the manufacturer of real cider vinegar to unfair competition, and while I believe it is against our present vinegar law I am endeavoring to secure prosecutions accordingly, still the next Legislature ought to pass a specific law barring from the State cider vinegar made from dried peels and cores.

IN CONCLUSION.

Before another fiscal year comes around the term of office of both of us expires and this will be my last annual report to be made to you. In closing our official relations I can only again thank you for the uniform firmness with which you have sustained this Department in its times of trouble. As a recompense for your labor in this respect I can only point to our operations. When I took this Department three and one-half years ago, it had control of only the food and drugs. Since then there has been added to it the Weights and Measures Department, the licensing of commission merchants, the licensing of soft drink manufacturers, the State Butter Brand proposition, the testing of all Babcock milk and cream bottles. We have done five times as much educational dairy and food work as was ever done in the history of the Department. We have made five times as many prosecutions. We have taken on all these added activities that I have mentioned and our appropriation has not been increased a dollar, and not only that but I have turned back unused into the State Treasury each year an average of \$8,000 of our appropriation which we had no use for.

I accepted the office of Dairy and Food Commissioner from you be-

cause I wished to demonstrate that a public office could be run as economically and as efficiently as any private business and I believe I have proved this fact to be true in the operations of this Department for the last three years. The success, however, is not due to me alone. I owe much to you because of your confidence in me, which permitted me to work out various details in the Department. I also owe much to the efforts of employees under me who, notwithstanding part of them came from former administrations and differed politically, at the same time they gave good team work for the success of the Department.

In closing I wish again to return my thanks to you for the confidence you have always shown in my conduct of the Department and to my various employees and inspectors for their loyalty and efficiency in their every day work.

Respectfully submitted,
JAMES W. HELME,
State Dairy and Food Commissioner.

IMMENSE OLEO FRAUDS.

HOW OLEO DEALERS IN MICHIGAN DEFY THE LAWS AND MAKE MONKEYS OF THE COURTS.

The newspapers have lately printed press dispatches showing immense frauds have been unearthed in various cities of the country in the sale of colored oleomargarine. The following extracts of a report issued by the United States government, show some details of the immensity of this fraudulent traffic. We give the following extracts taken from the government reports:

These figures alone show that since 1902 more than two hundred million pounds of colored oleomargarine have been manufactured and fraudulently sold as uncolored oleomargarine or as butter. It is believed that a great proportion of this product reached consumers as butter. This amount represents more than twice the average yearly consumption of both colored and uncolored oleomargarine by the People of the United States since the present law went into effect.

Approximately 185,000,000 pounds of this 200,000,000 pounds were sold by oleomargarine manufacturers to dealers as uncolored oleomargarine, and then, in many cases, sold to the ultimate consumer as butter. The remaining 15,000,000 pounds were made by butter manufacturers and sold as butter without the payment of any tax.

The commissioner has already recovered and deposited in the treasury \$851,000, with the prospect of further very large collections. Forty-two violators have been convicted since January 1, 1915, 29 of whom have been sentenced to terms in prison ranging from 30 days to 3½ years. Total fines of one hundred and forty-eight thousand dollars (\$148,000) have been imposed. These fines are exclusive of the recoveries mentioned above. Ten other of the more flagrant violators of the law are under indictment awaiting trial. In addition there are many other smaller criminal cases pending in the courts.

Among the larger cases are the following:

One company, whose president and treasurer pleaded guilty and were sentenced to one year and one day in the penitentiary and to pay a fine of \$1,000 each, and whose plant was seized, has been assessed \$768,696.

Another concern, six of whose officials and employes pleaded guilty and were fined an aggregate of \$8,000, and whose plant was seized, has been assessed \$612,391.

In St. Louis 34 persons were convicted, 27 being given prison sentences and fined a total of \$138,000.

In another city one manufacturer was assessed by the commissioner \$32,000 special and stamp taxes on account of the manufacture and sale of oleomargarine colored with tumeric, which has been paid. As it appeared that he was ignorant of the fact that the oils used contained tumeric, the United States attorney reported that criminal proceedings could not be sustained.

One company, whose president, treasurer and secretary are under in-

dictment on charges of oleomargarine frauds and whose plant was seized, has been assessed \$916,523 for evaded taxes.

Another concern, whose president and secretary-treasurer likewise have been indicted, and whose plant was seized and sold by the government, has been assessed \$2,090,027.

The government reports say nothing about Michigan, but the operation of the oleo interests in Michigan and especially in the city of Detroit, form an interesting topic for the public. The Dairy and Food Commissioner of Michigan proposes to give to the people of the state some inside facts about the sale of oleo in Michigan. He proposes to show how these interests have for years defied the laws of Michigan and how the courts and prosecuting officers in the largest city in the state have been mere puppets in the hands of wilful law defiers.

How by reason of skilled, high-paid lawyers, the fraudulent sale of oleo still continues to the detriment of both producer and consumer.

WHAT IS THE LAW.

The federal law allows oleo to be colored on the sole condition that colored oleo shall pay a government tax of ten cents per pound, while uncolored oleo pays a tax of but a half cent per pound. The dealer in colored oleo must also pay a federal tax as such dealer.

The state of Michigan has two statutes governing the sale of oleo and these laws take precedence of the federal laws and govern all sales of oleo within the state. The first law absolutely prohibits the sale of colored oleo within the state. The second law provides that all oleo (which includes of course only uncolored), sold within the state must be stamped with the word "oleomargarine" and that the word, "butter" or any similar dairy term shall not be used in advertising oleo, in order to prevent fraud on the consumer.

WHY COLOR OLEO?

The natural color of oleo is white and when made from certain fats it may have a fair yellowish shade.

White oleo is much better quality than colored, why, then should any oleo dealer want to sell colored oleo which pays a tax of ten cents per pound, rather than sell white oleo, which pays a tax of $\frac{1}{2}$ cent a pound?

The answer is easy. Oleo when colored a deep yellow like June butter can readily be sold as butter and a better price obtained which is always higher than oleo. Two persons are thus defrauded. The dairyman is subjected to the fraudulent competition of a cheaper article and the great dairy industry, one of the largest in the state, is dealt a serious blow, while on the other hand thousands of consumers buy colored oleo, supposing it to be butter and pay 8 to 10 cents a pound more than they would for oleo under its own name and color. For this reason Michigan law prohibits the artificial coloring of oleo.

To prevent the deceiving of the consumer the law further provides that no advertisement of oleo shall use the word "butter" or any other dairy term.

ENFORCING THE LAW.

When the writer was appointed deputy dairy and food commissioner in 1911 he found both of these laws dead letters, especially in the city of Detroit. Former commissioners, after making vain efforts had given up trying to enforce the law in Detroit.

The writer first went after the deceptive advertising. Four firms in Detroit were using the term "butter" in their ads. in a deceptive way.

The writer called on each firm and read the law to them and asked them to cease violating the same. All of them cheerfully agreed to do so, except Frank G. Lafer of Lafer Bros. Lafer refused to obey the law and defied the dairy and food commissioner to make him do so. Nothing was left for the writer to do except to enforce the law in his official capacity. Lafer was accordingly arrested for using the word "butter" and other dairy terms in an oleo ad. The advertisement which he inserted in the Detroit papers was as follows:

"Why pay high prices for butter? Let us send you a trial order of our fresh churned rolls at 22c and 23c a pound."

Lafer admitted that the "fresh churned rolls" at 22c and 23c was oleo. He would not furnish butter at those prices.

THE LAW'S DELAY.

A warrant was obtained against Lafer for this deceptive advertising. He hired a lawyer who came to see the writer. The writer told Lafer's lawyer that if Lafer would stop this kind of advertising he would stop the suit. Lafer's lawyer went back to Lafer and advised him to accept the proposition. Lafer promptly discharged this lawyer and hired a new one.

In July, 1912, Lafer's lawyer moved to dismiss the case on the ground that the title was defective. The court granted the motion. An appeal was taken to the supreme court, which in May, 1913, sustained the lower court.

NEW LAW PASSED.

The legislature being in session the writer asked that body to re-enact the law with a title broad enough to cover the act. This was done in the winter of 1913. To make assurance doubly sure, the writer also drafted and the legislature passed a general law prohibiting the insertion of any ad. that "contains any assertion, representation or statement of fact which is untrue, deceptive or misleading."

Armed with these two laws the dairy and food commissioner returned to the battle. In the meantime two Detroit papers refused to print Lafer's ads., but he continued them in two others.

When these new laws became operative in the fall of 1913 Lafer was arrested on two complaints, one under the deceptive advertising law and one under the newly passed oleo law. The advertisements complained of were as follows:

"OUR BUTTER DEP'T."

"Thousands of people are saving 10 to 15 cents a pound by trading at No. 9 Cadillac Square."

"The largest sellers in Detroit. Our fresh churned at 22c and 25c lb."

When Lafer was interviewed by food inspectors he admitted the only way he "could save people 10 to 15c a lb." on butter was by selling them oleo. He admitted that the "fresh churned at 22c and 25c" was not butter but oleo.

MORE DELAY AND TECHNICALITIES.

When the cases were called in court the writer offered in open court to dismiss the cases if Lafer would obey the laws of the state. Lafer refused. Various postponements were had, all but one at the request of Lafer's attorney, and so the matter dragged on until May, 1915, when the case came to trial. Lafer did not dispute the facts, but attacked the title of the deceptive advertising law as being unconstitutional in that it was too broad. The court held with him and an appeal was taken and that case is now pending in the supreme court. What became of the other case under the new oleo act the Lord only knows, we don't. Lafer is still continuing his defiance of Michigan laws.

MORE OLEO LAWS DEFIED.

We have before mentioned the law against selling colored oleo in Michigan. This law has been upheld by our supreme court, yet it is violated every day in Detroit and conviction seems impossible. When a man wishes to start a "blind pig" in a dry county he pays a federal tax to sell liquor. This gives him no right to violate the state laws, but it keeps off the U. S. officials and leaves him only state officials to fight. So when a dealer wants to sell colored oleo in defiance of state law he pays the government tax as a dealer in colored oleo so as to escape trouble from federal officials. Three years ago over 50 of such licenses were issued in Detroit in one year, but owing to the activities of the dairy and food department but 18 were issued last year. These people were at once notified by the department that the sale of colored oleo was unlawful and prosecution would follow. They paid no attention to the notice.

SELLING OLEO FOR BUTTER.

In November, 1914, fifteen of these places were visited by disguised food inspectors. Each was instructed to ask for a pound of butter. In every case they were given colored oleo and charged 30 cents a pound. A similar grade of oleo could be bought as oleo for 20c. In each place visited numerous sales of their "butter" were being made to consumers at 30c per pound.

AND STILL MORE DELAYS.

Warrants were sworn out and these defendants were arraigned late in 1914. Although the colored oleo law has been passed on by our supreme court, the lawyers found innumerable fly specks to argue about. They moved to quash the information. Arguments followed. Judge Phelan took the cases "under advisement." Months passed by, no decision was rendered, and finally old age overtook the judge and he passed away. Whether he took the cases with him we don't know, but we presume he did, as we are informed by the Detroit papers that the docket of the recorder's court is all cleaned up and there are no pending cases. These

defendants are still defying Michigan law and Detroit consumers are daily buying oleo from them at butter prices.

OLEO STRIKES BACK.

On the day the colored oleo dealers were arraigned in Judge Phelan's court a new deal was sprung. The sheriff of Wayne county served a summons on the writer by which Lafer sued the writer for \$20,000 damages. The suit had been "suppressed" in the Wayne county clerk's office waiting for the writer to come to Detroit. For once Mr. Lafer's smart lawyer got left. The writer had been subpoenaed as a witness that day and was therefore not subject to the service of process. On his application the Wayne circuit court set aside the service. Nothing prevents Mr. Lafer from bringing suit against the writer in his home county, and we welcome such a suit, although we don't know what he is suing for.

The writer is a man of only moderate means. A \$20,000 verdict would wipe him off the map financially.

When we read almost daily of the miscarriage of justice in Detroit courts, such a verdict would not be impossible, and even if such litigation were unsuccessful, the cost of hiring Detroit attorneys and defending the same would be oppressive. If the object of this suit was to drive the dairy and food commissioner out of Detroit, the litigation has been successful; the writer will not again enter Wayne county as long as he is dairy and food commissioner unless summoned by the court. After he gets out of office and his power to enforce the oleo laws is gone there will be no further object to push their litigation.

NO HELP FROM THE STATE.

Some may think the state would defend its officials, but our experience with the present board of state auditors is not one that gives us any confidence. At the last session of the legislature the writer presented a bill which would exempt any state officer from being sued on civil process outside of his home county while engaged in the performance of official duties. The bill was referred to the judiciary committee, which refused to report it out. The judiciary committee consists entirely of lawyers. If a lawyer attends court in any county outside of his residence he is exempt from the service of civil process. This judiciary committee would not grant to a state official the same privilege the lawyer possesses. Oleo seems to be entrenched in the legislature as well as in the courts. In this connection we wish to state that we do not desire to criticize Judge Connolly of the recorder's court. Whenever oleo cases have been before him he has tried to expedite matters in every way that he could.

WHAT ARE WE GOING TO DO ABOUT IT?

Frankly we don't know. The price of milk is governed by the price of butter.

Milk and butter are low this year, notwithstanding feed and labor on dairy farms are the highest known.

The fraudulent sale of oleo is largely responsible for it. Michigan's dairy interests are threatened. On the other hand Detroit consumers are daily being sold oleo for butter by law-defying dealers. We have written this article to answer in full the many inquiries received, of why the

dairy and food department doesn't stop the illegal sales of oleo in the city of Detroit. If any one can tell us how to do it we will be glad to receive the information. We have made strenuous efforts, but we are rapidly coming to the belief of dairy and food commissioners that have preceded us that these laws can not be enforced in Wayne county.

THE ABUSE OF ADVERTISING.

One of the greatest abuses of the present day is the abuse of advertising in the sale of so-called Patent Medicines. Proprietary medicines can be generally classified under two heads. First, common, simple remedies that are sold under a hifalutin name at an inflated price, and, second, a mixture of simple, harmless ingredients that do not cure or help any disease and are not harmful to any part of the patient's anatomy except his pocketbook.

The press is practically the sole medium by which the sale of fake medicines can be carried on. We cannot expect the press to refuse all proprietary medicine ads but we ought to expect the press to refuse to advertise medicines that have been exposed as useless by officials of the government in charge of drug investigation. No newspaper has the moral right to advertise a medicine in its columns whose only virtue is to extract dollars from the pockets of its subscribers.

A recent issue of the Lansing Journal came to this office containing the advertisements of about thirty proprietary medicines. Not all of them were worthless but there were many old time fakes that have been exposed by this department and others. We took the liberty of fixing a new "makeup" for this issue of the Journal by placing on the front page all of these ads. A plate of this revised make up is given herewith. It makes an imposing array. The many ancient fakes therein might entitle it to be called "The Old Settlers on Parade." The picture of the man "with the heart-bowed-down" appearance is an ad for Mayrs wonderful stomach remedy. The medicine might be called the "rule of three" remedy. For one dollar you buy a package that contains two small packages of white powder and one small bottle of liquid. The liquid is Olive oil, the packages are Epsom and Rochelle Salts respectively. You take them in 1, 2, 3 order, three hours apart and "presto change" your acute and chronic stomach troubles vanish, likewise your dollar that you paid for a ten cent dose of physic.

Then there is pictured our old friend who jumps three feet high. He has been taking Kellogg's Sanitone Wafers, which are recommended as "ambition producers." The wafers are composed of green paint (Chromium Sulphate), red pepper and a physic with an unpronounceable name. It may produce ambition but history does not record that the ambition of either Caesar or Napoleon was nurtured on green paint and red pepper.

The nice looking man in the center of the page is representing an ancient medicine called Fruitola which relieves liver and stomach trouble by removing the gall stones from a man's system. The beauty of this

THE STATE JOURNAL

SIXTY-FIRST YEAR

Published Daily excepted days

LANSING, MICHIGAN, THURSDAY,

APRIL 3, 1916

Published Daily excepted days

PRICE TWO CENTS

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THE LATEST CURE-ALL.

A new panacea for the cure of "all ailments of the stomach, kidneys and liver, catarrhal affections of the mucous membranes, rheumatism, nervous disorders and the like" is offered to the public under the name of Tanlac. The label on the bottle neatly avoids the pure drug acts by claiming to be only a "tonic and system purifier."

An analysis of Tanlac in the laboratory of this Department shows the following:

Alcohol	16.4%
Glycerine	2.0%
Licorice	Present
Aloes or Cascara.....	Present
Gentian	Present
Alkaloids (Berberine)	Trace

The presence of a trace of tartaric acid shows that wine is the base of this medicine. The 16% alcohol gives it the "kick" that makes a fellow feel good and ought to fill a long felt want in "Dry Counties." Aloes is a laxative. Gentian is a bitter drug, a so-called tonic. If the reader wants to be cured by the Tanlac route at one-fourth the expense, let him get a quart bottle of good sherry wine. Then go to the local druggist and get $1\frac{1}{4}$ drachms of Glycerine and two drachms each of Aloes, Gentian, Licorice and Cascara. Mix (if you wish) and you will have Tanlac so near that neither you nor the manufacturer can tell the difference. This formula will give four times the quantity found in an ordinary \$1 bottle of Tanlac. We say "mix if you wish." For our part we dislike to spoil a good bottle of wine by mixing it with bitter drugs like Aloes and Gentian. Our personal advice to all desiring to try this panacea would be to drink the bottle of wine and give the drugs to the hired girl.

JAMES W. HELME,

State Dairy and Food Commissioner.

WHO SAID "BEANS" ANYWAY?

BY J. W. HELME.

For the past month the air of Michigan has been redolent with discussion about Beans, Bean Prices, Bean Jobbers, Bean Cannors and Bean Diseases.

All this results from the fact that the bean is, next to bread, the most valuable food stuff produced in the country and as Michigan produces 70% of the Nation's crop, it behooves us not to "spill the beans." What was all the trouble about anyway? Well, you see, it was like this: In preparing the beans for market, at one stage of the game some nice looking girls at the elevators pick out a lot of bad looking beans known as culls. Most of them are mouldy and decomposed. Theoretically, these beans are supposed to be fed to hogs of the four-legged variety. Practically, these cull beans have been shipped all over the country to cannors who cannored them for human consumption. The Federal Pure Food Department got wise to this and this season when the elevator men began to ship cull beans to brokers and cannors, they were seized by the Federal authorities. Delegations of jobbers and cannors went down to Washington to get the Department to rule what percentage of bad beans they might sell or can. But the Federal authorities refused to make a ruling. They knew if they established a percentage, they would find that per cent present on all occasions.

After two delegations had been down to see the Federal Pure Food authorities and got no satisfaction, the bean jobbers appealed to Governor Ferris to use his good offices to get the Federal authorities to tell the jobbers what kind of beans they could ship without being seized. The Governor turned the job over to the State Dairy and Food Commissioner who went down to Washington to get a definite ruling. Dr. Alsberg, head of the Federal Pure Food Department, had no objection to talking with the head of the State Food Department. He showed samples of a large number of cans of beans cannored with tomato sauce. After washing off the sauce, it could be easily seen that a large proportion of these beans were "culls." Dr. Alsberg made a definite ruling at the request of the Michigan Commissioner that inasmuch as "cull" beans were only fit to feed stock, that no cull beans could be shipped out of Michigan unless they were first ground up so they would not be available for cannoring.

The Department also found that many bean jobbers had sold beans to cannors that had been picked with machines but not by girls. This practice the Federal Department announced should be stopped. The Department made a ruling that hereafter no dry beans could be shipped except those which had been picked "in good commercial practice." Under this ruling only those beans known to the jobbers as "Choice Hand Picked" can be sold. Possibly "Prime" may also come under this ruling, certainly no other grades.

What effect will this ruling have on the Michigan Bean Crop? We

believe it will raise the price. The cull beans that the farmer received nothing for must be replaced in canning by choice hand picked. This means a greater demand for the beans the farmer gets paid for; more demand means more price. The price will probably gradually increase from now on until the next crop comes in sight.

Another thing. If all beans have to be hand-picked in Michigan it means several hundred thousand dollars paid to Michigan labor.

And still another fact is this, that the proportion of anthracnose beans in the present crop as a whole has been greatly exaggerated. In a few sections they are very numerous but not in all sections. "Anthracnose" was merely a cry to hide the canning of cull beans.

This department has examined samples of canned beans bought in Michigan on the open market and the result of such analyses will be found elsewhere in this bulletin.

No.	Firm.	Address.	Article.	Net weight claimed.	Net weight found.	Per cent decomposed beans.	Remarks.
1	Slider.....	Cincinnati.	Pork & Beans.....	22 oz.	1 lb. 6 13/16 oz.	0.25	
2	Michigan State Cannery.....	Jackson.....	Pork & Beans.....	1 lb. 5 oz.	1 lb. 4 3/32 oz.	0.37	
3	Heinz.....	Pittsburg.....	Baked Beans.....	20 oz.	1 lb. 5 oz.	0.50	
4	ChAMPLAIN.....	St. Albany, Vt.....	Pork & Beans.....	2 lb. 2 oz.	2 lb. 4 1/2 oz.	1.1	
5	Cudaby.....	U. S. A.....	Pork & Beans, Rex Brand.....	1 lb. 5 oz.	1 lb. 5 7/8 oz.	1.1	
6	Van Camps.....	Indianapolis.....	Pork & Beans.....	1 lb. 5 oz.	1 lb. 5 13/16 oz.	1.2	
7	Verbeet.....	U. S. A.....	Pork & Beans.....	1 lb. 6 oz.	1 lb. 5 7/8 oz.	1.2	
8	Sears.....	Ft. Wayne.....	Pork & Beans.....	1 lb.	1 lb. 1 oz.	1.4	
9	Campbells.....	Camden, N. J.....	Pork & Beans.....	1 lb. 4 oz.	1 lb. 5 10/32 oz.	1.5	
10	Roach, Hart Brand.....	Hart, Mich.....	Pork & Beans.....	1 lb. 5 oz.	1 lb. 6 1/4 oz.	1.6	
11	Berdan.....	Toledo.....	Old Tavern Pork & Beans.....	1 lb. 5 oz.	1 lb. 5 7/16 oz.	1.68	
12	Michigan Packing Company.....	Saginaw.....	Sunset Brand.....	11 oz.	1 lb. 12 1/16 oz.	2.2	
13	Burt Olney Canning Co.....	Oneida, N. Y.....	Pork & Beans.....	1 lb. 5 oz.	1 lb. 6 9/32 oz.	3.0	
14	Symons Bros.....	Saginaw.....	Star A Brand, Pork & Beans.....	1 lb. 5 oz.	1 lb. 6 3/4 oz.	3.1	
15	Northrup, Robertson & Carrier.....	Lansing.....	Reno Brand, Pork & Beans.....	1 lb. 12 oz.	1 lb. 12 11/32 oz.	4.2	
16	Hart Bros.....	Saginaw.....	Pork & Beans.....	1 lb. 4 oz.	1 lb. 6 oz.	5.5	
17	Hart Bros.....	Saginaw.....	Pork & Beans.....	1 lb. 4 oz.	1 lb. 5 1/2 oz.	6.4	
18	National Grocery Company.....	Detroit.....	Red Cap Brand Baked Beans.....	2 lbs.	2 lb. 7/8 oz.	10.3	
19	Rider Packing Co.....	Crothersville, Ind..	Dexter Brand, Pork & Beans.....	1 lb. 4 oz.	1 lb. 5 9/16 oz.	11.8	
20	Hart Bros.....	Saginaw.....	Shepard Brand Beans.....	1 lb. 12 oz.	1 lb. 12 3/4 oz.	17.9	
21	National Grocery Co.....	Detroit.....	Red Cap Brand Baked Beans.....	2 lbs.	2 lbs. 3/8 oz.	11.7	
22	Michigan Packing Co.....	Saginaw.....	Beans with Pork, Saginaw Brand.....	2 lbs. 2 oz.	1 lb. 13 9/16 oz.	15	

HOW TO GET BETTER BUTTER.

"Where can I get good butter?" is the despairing cry of the housewife in Michigan. She goes to market and sees tub after tub of butter labeled "Elgin" "Creamery" "Extras," etc., and buys some that in forty-eight hours has a billy goat beat for odor.

Much good butter is made in Michigan. It is shipped to New York and Philadelphia. Much poor butter is made in Michigan. It is sold in Michigan for two reasons: First, because other states won't take it except at a very low price. Second, because the dealer can sell this butter a cent or two cheaper than good butter and make a bigger margin on it besides. Much butter now on sale in Michigan is creamery butter placed in cold storage in Chicago last summer. Chicago now sells it at 27c and it is retailed here at 37c. Cold storage butter six months old is not long for this world after being taken out. For developing flavors that will paralyze a skunk, cold storage butter has cold storage eggs beat a mile.

The last legislature authorized the State Dairy and Food Department to establish a State Brand for Butter. Before any creamery can sell butter under the State Brand, the creamery must make a grade of butter that will uniformly sell in the New York market as "Extras." To bring this about our three expert buttermakers visit a creamery, inspect and regulate its methods, insist on clean factories and clean dairies supplying it, and instruct and educate the buttermakers and farmers how to obtain a clean, healthful, uniform product. They put in several weeks at each factory. By January 1st we shall have enough factories up to the standard of "Extras" to put out the State Brand. This brand will guarantee the buyer an extra quality of butter. If a factory lowers the quality of its product, the State Brand will be taken away. We will then establish selling agencies over the State to sell "State Brand Butter." In the meantime parties who wish to buy an extra grade of butter will be furnished the names of creameries that are now producing such goods by writing to the State Dairy and Food Department, Lansing, Mich.

POINTERS FOR HOUSEHOLDERS.

These are the days when the householder is engaged in laying in his winter supply of apples, potatoes, onions and other vegetables. The peddlers go along the streets of our large cities and offer the inducement to cheap prices per bushel but in a great number of cases the amount delivered for a bushel is several pounds shy and the housewife is not getting the bargain that she expects.

The consumer should understand first that there are two kinds of bushels. A bushel measure under the laws of Michigan contains 2150.42 cu. in. This, however, is what we call a stricken bushel. The law provides that when wheat and other grains are measured in a receptacle containing the above number of cubic inches, that the measure shall be level full. But when we come to measure potatoes and apples and other rough stuff, the law provides that they shall be sold by "heaped measure," that is, the measure containing 2150.42 cu. in. shall be heaped up "as much as possible without special design." It is only in this way that sixty pounds of potatoes can be got in one of these measures, and that is the legal weight of a bushel of potatoes in Michigan.

Unfortunately, many peddlers have all sizes of baskets and the consumer is unable to tell whether a proper amount is being given. We suggest to all consumers who buy fruits and vegetables that they make for their own use a bushel measure. Such a measure can be made in the form of a square box which should be 12x14x16 in. on the inside. A box so constructed will hold, when level full, a legal bushel of apples, potatoes and such products. It will be a short job to make one of these boxes and we suggest that all consumers who buy stuff by the bushel, should have one on hand to check up the measure that they receive.

JAMES W. HELME,

State Dairy and Food Commissioner.

THAT INQUISITIVE BOY AGAIN.

"Oh, Pa, what are those red things in the bushel basket?" asked the small boy of his father as they went along the street.

"Those, my boy, are cranberries which your mother always serves with the turkey on Thanksgiving," said the father.

"And, O see, Pa, there's a tin measure in the basket just like ma buys milk in. What's that for?"

"That," says the father, "is supposed to be a quart measure in which they measure the berries."

"But, Pa, when ma sold some strawberries, she measured them in a quart basket. Why doesn't the grocer?"

"Well, you see, my son, there are two kinds of quarts, a dry quart to sell dry things in and a liquid quart to sell liquids in. The liquid quart holds ten cubic inches less than the dry quart so the grocer buys his cranberries by the dry quart and sells them by the liquid quart."

"Why does the grocer do that, pa?"

"So he can get 38 quarts out of each 32 quart bushel."

"But, Pa, I should think people would insist on having a dry quart of cranberries instead of a wet one?"

"They would my son if they only knew the law."

"But, Pa, ain't it dishonest to sell persons a short quart of cranberries?"

"Oh no, my son, it is merely 'Business Efficiency.'"

"What's 'Business Efficiency?'"

"Oh, that's the art of getting all there is out of business and then some."

"But, pa, ain't that wrong?"

"Now, never mind asking any more questions, son, you won't understand business principles until you grow up."

JAMES W. HELME,
State Dairy and Food Commissioner.

December 18, 1915.

To Whom It May Concern :

Our attention has been called to the fact that some soda bottlers are using a preservative in the manufacture of soda waters and other soft drinks. The preservative we find most commonly used is Sodium Benzoate. It is sold by various concerns in the form of an aqueous solution, under some coined name or simply as a preservative.

We wish to call attention to Act No. 7, P. A. 1905, Sec. 1 of which provides, that whenever any harmless preservative is used in a food product, such product must be labeled with the words "Prepared with," followed by the proper English name of the preservative used. Therefore, whenever any bottler uses Sodium Benzoate in his goods each bottle must be labeled "Prepared with Sodium Benzoate."

We also find that the bottlers have been misled in regard to Sec. 9. of the "Soft Drink Act." This section reads:

"All bottles used in the manufacture of carbonated beverages, soda waters, grape juice, cider, carbonated mineral waters or any other soft drink, before being filled shall be sterilized by soaking in a hot caustic solution of not less than one hundred twenty degrees Fahrenheit that shall contain not less than five per cent. caustic or alkali, expressed in terms of sodium hydrate, for a period of not less than five minutes, then thoroughly rinsed in pure water until free from alkali; or by any other suitable process that will properly sterilize the bottles."

Many bottlers are led to believe that the Department will not issue a license unless they have a "soaker" in their establishment. This is not true, you are not required to buy a "soaker" providing you use any other suitable process that will properly wash and sterilize the bottles. The law requires and the Department requires that you use a process that will produce a clean, sterile, bottle. If you can do this by any device of your own you are at liberty to use it.

Respectfully yours,

JAMES W. HELME,
State Dairy and Food Commissioner.

STATE ANALYST'S REPORT

Hon. James W. Helme, Dairy and Food Commissioner, Lansing, Mich.:

Dear Sir:—I herewith beg to report on the work of the laboratory Division of the Department for the fiscal year ending June 30th, 1916.

During this period we examined a total of 1,749 samples, 1,304 of which consisted of foods, beverages and miscellaneous articles, while 445 were drug samples which are further reported on by the drug analyst in another portion of this report. Of the 1,304 foods, beverages, etc., 264 were found to be adulterated, misbranded or formed the part of an illegal sale.

The attached compilation gives in detail the reason for a condemnation of these 264 samples.

Very respectfully,

F. L. SHANNON,
State Analyst.

SUMMARY OF SAMPLES EXAMINED.

Article.	Total.	Not found adulterated, misbranded or illegal.	Found adulterated, misbranded or illegal.
Baking powder.....	5	5	0
Beans.....	3	1	2
Beef.....	1	0	1
Berry boxes.....	4	0	4
Breakfast foods.....	3	3	0
Buckwheat flour.....	6	6	0
Butter.....	438	431	7
Candy.....	17	8	9
Canned fish.....	10	9	1
Canned fruit.....	17	12	5
Canned vegetables.....	73	67	6
Carbonated beverages.....	26	13	13
Catsup.....	2	2	0
Cereals.....	1	1	0
Cheese.....	2	2	0
Cherries.....	1	0	1
Chocolate.....	1	1	0
Cider.....	1	1	0
Cinnamon.....	2	2	0
Cocoa.....	2	2	0
Cocoanut.....	2	2	0
Coffee and coffee extract.....	20	19	1
Condensed milk.....	6	1	5
Corned beef.....	1	0	1
Corn meal.....	2	2	0
Corn starch.....	3	3	0
Corn syrup and apple jelly.....	1	0	1
Cranberries.....	1	0	1
Cream.....	67	66	1
Cream of tartar.....	3	3	0

SUMMARY OF SAMPLES EXAMINED.—*Concluded.*

Article.	Total.	Not found adulterated, misbranded or illegal.	Found adulterated, misbranded or illegal.
Currants.....	1	1	0
Dried fruits.....	13	13	0
Eggs.....	2	1	1
Evaporated milk.....	10	3	7
Flavoring preparations.....	25	17	8
Flour.....	4	4	0
Fruit.....	1	0	1
Gelatin.....	2	2	0
Hamburg steak.....	38	21	17
Honey.....	7	7	0
Horse radish.....	4	2	2
Ice.....	1	1	0
Ice cream.....	11	8	3
Icing.....	1	1	0
Jellies, jams, etc.....	18	13	5
Lard and lard compound.....	22	13	9
Linseed oil.....	21	17	4
Macaroni and spaghetti, etc.....	6	6	0
Malted milk.....	1	1	0
Maple sugar.....	2	2	0
Maple syrup.....	4	3	1
Maraschino cherries.....	1	0	1
Meat.....	6	5	1
Milk.....	104	80	24
Miscellaneous.....	2	2	0
Molasses.....	2	2	0
Mushrooms.....	1	1	0
Mustard (prepared).....	1	1	0
Nutmeats.....	1	0	1
Nutmegs.....	2	2	0
Oat meal.....	1	1	0
Oleomargarine.....	13	5	8
Olives.....	4	0	4
Olive oil.....	2	2	0
Onions.....	1	0	1
Oysters.....	6	3	3
Peaches.....	10	2	8
Peanut butter.....	1	1	0
Pepper.....	2	1	1
Pickles.....	1	0	1
Pork.....	1	0	1
Pork and beans.....	1	1	0
Potatoes.....	6	0	6
Preservatives.....	7	7	0
Raisins.....	4	4	0
Red peppers.....	1	1	0
Rice.....	10	9	1
Saffron.....	7	4	3
Salad dressing.....	3	3	0
Salt.....	1	0	1
Sausage.....	103	58	45
Scallops.....	1	0	1
Soda.....	2	2	0
Soft drink syrup.....	7	7	0
Spices.....	3	3	0
Sugar.....	5	5	0
Sugar cakes.....	1	0	1
Syrup.....	13	2	11
Taploca.....	1	1	0
Tea.....	8	8	0
Turpentine.....	3	3	0
Vinegar.....	40	16	24
Totals.....	1,304	1,040	264

REPORT ON SAMPLES.

BEANS.

No. 35568, I-619. One quart of beans purchased from H. G. Lewis, Jackson. Short measure in that they were measured in a liquid measure.

No. 35580, I-620. One quart of beans purchased from Murray Bros., Jackson. Short measure in that they were measured in a liquid quart measure.

BEEF.

No. 36040, L-85. Sample of beef procured from Kelly & Co., Bay City. Sample consisted wholly or in part of an infected and tainted animal substance.

BERRY BOXES.

No. 35360, I-566. Berry boxes procured from S. M. Sharp, Hartford. Bad condition in that they are covered with mold, fruit juice, dirt and seeds.

No. 35361, I-567. Berry boxes procured from W. M. Traver & Co., Hartford. Bad condition in that they are covered with dust, dirt, fruit juice, spoiled berries and mold.

No. 35362, I-568. Berry boxes procured from Fruit Belt Canning Co., Watervliet. Bad condition in that they are covered with mold, dirt, spoiled berries and fruit juice.

No. 35363, I-569. Berry boxes procured from Friday Bros. Canning Company, Coloma. Bad condition in that they are covered with mold, dirt, dried berries and fruit juice.

BUTTER.

No. 35555, F-279. Sample of butter purchased from H. C. Van Os-dale, Benton Harbor. Product is renovated butter. Package not stamped.

No. 35611, I-633. Sample of "butter" purchased from The Pure Food Specialties Co., Jackson. Product is oleomargarine.

No. 35972, I-650. Sample of butter procured from Ford's Lunch, 73 Grand River Ave., Detroit. Sample is renovated butter. No sign displayed.

No. 36046, L-87. Sample of process butter procured from Herman Rapp, Bay City. Sample is renovated butter. No sign displayed.

No. 38407, G-1257. Sample of "butter" procured from the Sherman Hotel, Escanaba, Mrs. J. Curran. Product is oleomargarine. No sign displayed.

No. 38483, R-100. Sample of "butter" procured from W. J. Klees, 2935 Woodward Ave., Detroit. Product is oleomargarine artificially colored.

No. 38484, R-102. Sample of "butter" procured from W. J. Klees, 2935 Woodward Ave., Detroit. Product is oleomargarine artificially colored.

CANDY.

No. 35200, B-301. Box candy put up by A. E. Brooks & Co., Grand Rapids, and procured from W. Kephart, Petoskey. Misbranded in that the net weight was not stated on the box.

No. 35201, B-302. Box candy put up by A. E. Brooks & Co., Grand Rapids, and procured from W. Kephart, Petoskey. Misbranded in that the net weight is not stated on the box.

No. 35234, B-307. Box candy sold by the National Grocer Co., Sault Ste. Marie and procured from Lawrence H. Wise, Pickford. Misbranded in that the net weight is not stated on the box.

No. 35939, L-63. Sample of candy procured from the Black Mail Order House, Pigeon. Sample consists wholly or in part of an infected vegetable substance.

No. 35940, L-64. Sample of candy procured from Black Mail Order House, Pigeon. Sample consists wholly or in part of an infected vegetable substance.

No. 35941, L-65. Sample of candy procured from the Black Mail Order House, Pigeon. Sample consists wholly or in part of an infected vegetable substance.

No. 35990, B-325. Sample of candy manufactured by A. E. Brooks & Co., Grand Rapids, and procured from Miss Elizabeth Johnson, Cadillac. Net weight not stated. Manufacturer's name and address not stated on the label. Misbranded.

No. 36038. Unofficial sample of chocolates. Net weight not stated. Misbranded.

No. 36070, L-95. Sample of candy manufactured by C. S. Ball, Dayton, Ohio, and procured from Chas. Kretschmer, Saginaw. Net weight not stated. Misbranded.

CANNED FRUITS.

No. 35907. Unofficial sample of Dana's Pioneer Brand Apples. Net weight not stated. Misbranded.

No. 35950. Unofficial sample of Eureka Brand Egg Plums. Net weight not stated. Misbranded.

No. 35951. Unofficial sample of Hill's Dale Brand Sliced Pineapple. Net weight not stated. Misbranded.

No. 35952. Unofficial sample of Pewamo Brand Apples. Net weight not stated. Misbranded.

No. 38162, R-82. Sample of canned strawberries manufactured by Fruit Belt Can Co., Watervliet, Mich. Net contents not stated. Misbranded.

CANNED VEGETABLES.

No. 35801, D-226. Sample of Wild Hawk brand canned peas put up by the Huron Canning Company, Port Austin, and procured from the New Orleans Fruit House, Flint. Product consists wholly or in part of over-ripe peas. Labeled "Early June Peas."

No. 35847, L-59. Sample of Ohio's Pride Tomatoes put up by I. F. Crampton & Son, Celina, Ohio, and sold by Symonds Bros., Saginaw. Misbranded in that the net contents is not stated on the label.

No. 35908. Unofficial sample of Chef Brand Marrowfat Peas. Net weight not stated. Misbranded.

No. 35949. Unofficial sample of Monroe Brand Beets. Net weight not stated. Misbranded.

No. 35953. Unofficial sample of Maryland Brand White Wax String Beans. Net weight not stated. Misbranded.

No. 36006, L-74. Sample of peas put up by I. E. Crampton & Son, Celina, Ohio, and sold by Symonds Bros., Saginaw. Net contents not stated. Misbranded.

CANNED SALMON.

No. 36027, G-1235. Sample of canned salmon put up by the Swedish Produce Co., Chicago, and procured from Wm. Larn, Baraga. Net contents not stated. Misbranded.

CARBONATED BEVERAGES.

No. 36098, K-28. Sample of raspberry pop manufactured and sold by the East Side Bottling Works, Detroit. Not properly labeled.

No. 36099, K-29. Sample of ginger ale manufactured and sold by the East Side Bottling Works, Detroit. Not labeled in accordance with law.

No. 37001, K-31. Sample of white pop manufactured and sold by the Independent Bottling Works, Detroit. Not labeled in accordance with law.

No. 37003, K-33. Sample of red pop manufactured and sold by the Independent Bottling Works, Detroit. Not labeled in accordance with law.

No. 37004, K-34. Sample of red pop manufactured and sold by Feigenson Bros., Detroit. Not labeled in accordance with law.

No. 37005, K-35. Sample of ginger ale manufactured and sold by Feigenson Bros., Detroit. Not labeled in accordance with law.

No. 37006, K-36. Sample of root beer manufactured and sold by Feigenson Bros., Detroit. Low in sugar.

No. 37007, K-37. Sample of red pop manufactured and sold by the American Soda Water Mfg. Co., Detroit. Not labeled in accordance with law.

No. 37009, K-39. Sample of ginger ale manufactured and sold by the American Soda Water Mfg. Co., Detroit. Low in sugar.

No. 37010, K-40. Sample of white pop manufactured and sold by the Peoples Soda Water Mfg. Co., Detroit. Not labeled in accordance with law.

No. 37011, K-41. Sample of ginger ale manufactured and sold by the Peoples Soda Water Mfg. Co., Detroit. Not labeled in accordance with law.

No. 37012, K-42. Sample of White Pop manufactured and sold by the Crescent Beverage Co., Detroit. Not labeled in accordance with law.

No. 37013, K-43. Sample of Birch Beer manufactured and sold by the Crescent Beverage Co., Detroit. Dirt and white sediment in bottle.

CHERRIES.

No. 25328, I-561. One quart cherries procured from Geo. B. Rapelje, Lansing. Sample consists in whole or in part of a filthy, decomposed substance.

COFFEE ESSENCE.

No. 35322, L-31. Sample of Essence for Coffee sold by Tanner & Daily, Bay City. Misbranded in that the net weight is not stated on the label.

CONDENSED MILK.

No. 35236, R-45. Sample of condensed milk sold by Hunter & Hunter, Royal Oak. Misbranded in that the formula for extension is not in conformity with the statute.

No. 35267, L-29. Sample of evaporated milk sold by Fred Lincoln, Lapeer. Not properly labeled. No direction for diluting to comply with Michigan legal standard for milk.

No. 35377, G-1218. Sample of evaporated milk sold by E. R. Godfrey & Sons Company, Milwaukee, Wis., and procured from E. W. Zerbel, Hancock. Misbranded in that the directions for diluting are not in compliance with the Michigan statute.

No. 35523, G-1223. Sample of evaporated milk manufactured by the Van Camp Packing Co., Indianapolis, Ind., and sold by E. M. Lieblin, Hancock. Does not conform to the standard for evaporated milk. Low in butter fat.

No. 35529, F-278. Sample of condensed milk sold by the National Grocery Co., Grand Rapids. Does not conform to standard for evaporated milk. Low in butter fat.

CORNED BEEF.

No. 35963, I-645. Sample of corned beef procured from the Detroit Market Co., 417 Gratiot Ave., Detroit. Unclean and insanitary.

CORN SYRUP AND APPLE JELLY.

No. 33918, I-531. Sample of Corn Syrup and Apple Jelly sold by Harnet & Hewitt, Toledo, Ohio, and procured from Throop Bros., Milan. Contains artificial color. Not salable.

CRANBERRIES.

No. 38137, E-111. One quart cranberries sold by H. C. Kruth & Sons, Lapeer. Sample measured in liquid quart instead of dry measure. Short measure.

CREAM

No. 35545, I-588. Sample of cream procured from Frank White, Bancroft, R. F. D. No. 3. Contains flies, dust and filth. Bad odor.

EGGS.

No. 35418, U-8. Eggs sold by farmer (name unknown) to A. Shapiro, Battle Creek. Consist of decomposed, putrid, tainted and rotten animal matter. Not fit for food purposes.

EVAPORATED MILK.

No. 35725, R-59. Sample of Priceless Brand Evaporated Milk manufactured by the Price Merchants Syndicate, Minneapolis, Minn., and procured from E. T. Drouillard & Son, Ford City. Directors for diluting not in conformity with the statute. Below standard in butter fat.

No. 35879, G-1231. Sample of condensed milk manufactured by the Wisconsin Condensed Milk Co., Burlington, Wis., and procured from Charles Rund, Bessemer. No formula for extension. Misbranded.

No. 35893. Unofficial sample of Etna Evaporated Milk. Below standard in butter fat.

No. 35894. Unofficial sample of Etna Evaporated Milk. Below standard in butter fat.

No. 36008, L-76. Sample of evaporated milk put up by the American Milk Company, Chicago, and procured from H. M. Strong, Saginaw. Directions for diluting not in conformity with the statute. Misbranded.

No. 38282, F-332. Sample of evaporated milk manufactured by the Krekeler Gro. Company, St. Louis, Mo., and procured from Ira M. Smith Co., Grand Rapids. Net weight not stated and directions for diluting not in conformity with the statute.

No. 38283, F-333. Sample Concord brand skimmed milk manufactured by the Continental Condensed Milk Company, Mill Hall, Pa., and procured from Ira M. Smith Co., Grand Rapids. Net weight not stated and directions for diluting not in conformity with the statute.

FLAVORING PREPARATIONS.

No. 33946, I-532½. Sample of Terpeneless Lemon Extract manufactured by Kidd, Dater & Price, Benton Harbor, and procured from W. E. Morrow, Benton Harbor. Misbranded in that the net contents is not stated on the label.

No. 34008, I-536. Sample of Lemon and Citral Resol manufactured by E. Habermann & Co., Cleveland, Ohio, and procured from the Sugar Bowl, Lansing. Misbranded in that the net weight is not stated.

No. 35403, I-578. Sample of "Honest Quality" Lemon Extract manufactured by Arbuckle Bros., Chicago, and procured from F. H. Green, Allegan. Produce not properly labeled. No statement as to net contents.

No. 35407, I-582. Sample of lemon extract manufactured by R. W. Snyder, Battle Creek, and procured from Barry, Akom & Durand, Allegan. Product not properly labeled in that there is no statement as to the net contents on the label of the bottle.

No. 35480. Unofficial sample of Vanilla. Product is not a pure vanilla extract.

No. 35598, I-623. Sample of Imitation Vanilla Flavor manufactured by Chamberlain Medicine Co., Des Moines, Iowa. Misbranded in that the net contents is not stated on the label.

No. 35802, D-227. Sample of vanilla compound manufactured by the Schorndorfer Co., Cleveland, and procured from the Flint Tea Store. Flint. Not properly labeled as an imitation vanilla.

No. 38095. Unofficial sample of vanilla. Not properly labeled.

FRUIT.

No. 38449, G-5. Sample of strawberries sold by M. Piowatty & Sons, Lansing. Consist wholly or in part of a decomposed putrid and rotten substance.

HAMBURG STEAK

No. 34022, I-540. Sample of Hamburg Steak manufactured and sold by Carl F. Salnoske, Benton Harbor. Sample contains added sulphurous acid or salts thereof and an excessive amount of cereal.

No. 35197, I-544. Sample of Hamburg Steak manufactured and sold by W. H. Dunbar, Hartford. Sample contains added sulphurous acid or salts thereof.

No. 35214, V-28. Sample of Hamburg Steak manufactured and sold by E. E. Meischner, Mt. Clemens. Sample contains added sulphurous acid or salts thereof.

No. 35215, V-29. Sample of Hamburg Steak manufactured and sold by Fred Ekley & Sons, Mt. Clemens. Sample contains added sulphurous acid or salts thereof.

No. 35227, R-41. Sample of Hamburg Steak manufactured and sold by Bell Bros. & LaJoie, Birmingham. Product contains added sulphurous acid or salts thereof.

No. 35228, R-42. Sample of Hamburg Steak manufactured and sold by Erwin & Smith, Birmingham. Product contains added sulphurous acid or salts thereof.

No. 35229, R-43. Sample of Hamburg Steak procured from W. P. Webb, Pontiac. Sample contains added sulphurous acid or salts thereof.

No. 35486, R-51. Sample of Hamburg Steak procured from Hunter & Hunter, Royal Oak. Product contains added sulphurous acid or salts thereof.

No. 35602, R-53. Sample of Hamburg Steak manufactured and sold by P. H. Legg, Pontiac. Product contains added sulphurous acid or salts thereof.

No. 35604, R-55. Sample of Hamburg Steak manufactured and sold by Chas. Neldrett, Birmingham. Product contains added sulphurous acid or salts thereof.

No. 35613, L-45. Sample of Hamburg Steak procured from Wm. H. Dawe, Gladwin. Cereal present. No statement on package to indicate the presence of same.

No. 35652, R-57. Sample of Hamburg Steak manufactured and sold by Giles A. Webb, Pontiac. Product contains added sulphurous acid or salts thereof.

No. 35662, I-630. Sample of Hamburg Steak manufactured and sold by Wm. Saier, Lansing. Sodium benzoate present. Package not labeled to show presence of the preservative.

No. 35774, I-637. Sample of Hamburg Steak manufactured and sold

by John Gutbrodt, 88 Pine St., Muskegon. Product contains added sulphurous acid or salts thereof.

No. 35839, L-58. Sample of Hamburg Steak manufactured and sold by C. L. Hurst, 1502 Gratiot Ave., Saginaw. Contains an excessive amount of cereal.

No. 35855, L-60. Sample of Hamburg Steak manufactured and sold by E. W. Beckett, Brown City. Product contains sulphurous acid or salts thereof.

No. 36016, I-652. Sample of Hamburg Steak manufactured and sold by C. DuBaene, Rochester. Sulphites present. Product contains small amount of sulphurous acid or salts thereof.

HORSE RADISH.

No. 35794, I-638. Sample of Horse Radish manufactured by the Wm. Sherwood Horse Radish Co., Lansing. Net weight not stated on label. Misbranded.

No. 36010, I-651. Sample of Acme Radish manufactured by the Acme Horse Radish Co., Detroit, and sold by F. P. Reynolds, Detroit. Net contents not stated on the label. Misbranded.

ICE CREAM.

No. 35311, R-48. Sample of ice cream manufactured by the Detroit Dainty Company, Detroit. Butter fat 8.2%. Below standard.

No. 35353, K-13. Sample of ice cream manufactured by the Toledo Dairy Company, Toledo, Ohio, and procured from Edward C. Lemerand, Monroe. Butter fat 6.4%. Below standard.

No. 35599, R-52. Sample of ice cream manufactured and sold by E. L. Keyser, Pontiac. Butter fat 8.8%. Below standard in butter fat.

JELLIES AND JAMS.

No. 35776, F-286. Sample of Cherokee Jelly manufactured by the Empire Provision & Produce Co., Chicago, and sold by Sulzbergers Sons, Grand Rapids. A corn syrup apple jelly not properly labeled as an imitation jelly.

No. 35830. Unofficial sample of Miller's Homemade Pineapple Jam. Sample is 1 15/32 oz. short weight.

No. 38088, R-78. Sample of Compound Jam procured from Wm. Stephan, Detroit. Net contents not stated. Misbranded.

No. 38128, G-1250. Sample of Exmoor Brand Apple & Plum Jelly sold by Carpenter Cook Co., Menominee. Jelly has grape flavor. Misbranded.

LARD.

No. 34023, I-541. Sample of "lard" manufactured by Dick Banyon, Benton Harbor, and procured from C. A. Elson, Riverside. Product is lard compound not properly stamped.

No. 35406, I-581. Sample of lard compound procured from Burrell Tripp, Allegan. Package not stamped.

No. 35423, F-270. Sample of lard procured from Joseph Alti, Benton Harbor. Product is not pure lard. Package not stamped.

No. 35481, I-585. Sample of lard compound procured from E. P. Berry, Benton Harbor. Package not stamped.

No. 35570, I-609. Sample of lard procured from Herman Christenson, Jackson. Product contains a small amount of beef fat. Package not stamped.

No. 35574, I-612. Sample of lard procured from Judson A. Phillips, Jackson. Product contains a small amount of beef fat.

No. 35803, X-3. Pail lard put up and sold by W. C. Wolcott, Flint. Net weight not stated. Misbranded.

No. 35874. Unofficial sample of lard. Not pure lard.

No. 36031, L-80. Five pounds of lard sold by Chas. Nolette & Son, Bay City. Short weight.

LINSEED OIL.

No. 35194, B-303. Sample of boiled linseed oil manufactured by the Noble Refining Co., Cleveland, and procured from Fisk Hardware Company, Central Lake. Not a pure linseed oil.

No. 35354, L-32. Sample of raw linseed oil manufactured by the Noble Refining Co., Cleveland, and procured from J. J. Lambert, Linwood. Product contains about 57% mineral oil.

No. 35424. Unofficial sample of linseed oil. Not pure linseed oil.

No. 35910. Unofficial sample of linseed oil. Not a pure oil.

LIVER.

No. 35659, I-627. Liver procured from W. M. Gilbert, Cement City, R. F. D. No. 1. Transported and offered for sale in a filthy and insanitary condition.

MAPLE SYRUP.

No. 38357. Unofficial sample of maple syrup. Product contains some cane sugar or cane sugar syrup.

MARASCHINO CHERRIES.

No. 38086, R-76. Sample of maraschino cherries put up by the Liberty Cherry & Fruit Co., Covington, Ky., and procured from Wm. Stephan, Detroit. Contents not stated. Manufacturer's name and address not stated on the label. Misbranded.

MILK.

No. 35135, N-115. Sample of milk sold by A. C. Kimvall, Standish R. F. D. Below standard in specific gravity, butter fat and total solids. Contains about 11% added water.

No. 35137, N-117. Sample of milk sold by John Cameron, Standish R. F. D. Below standard in specific gravity and total solids. Contains about 8% added water.

No. 35138, N-118. Sample of milk sold by Oliver Treadeau, Standish R. F. D. Below standard in specific gravity and total solids. Contains about 12% added water.

No. 35142, N-122. Sample of milk sold by F. Gresecki, Standish R. F.

D. Below standard in butter fat and total solids. A part of the cream has been removed.

No. 35143, N-123. Sample of milk sold by Tony Soboleski, Standish R. F. D. Below standard in specific gravity, butter fat and total solids. Contains about 16.5% added water.

No. 35144, N-124. Sample of milk sold by James Grier, Standish R. F. D. Below standard in butter fat and total solids. Above standard in specific gravity. A part of the cream has been removed.

No. 35143, N-123. Sample of milk sold by Tony Soboleski, Standish R. F. D. Below standard in specific gravity, butter fat and total solids. Contains about 16.5% added water.

No. 35144, N-124. Sample of milk sold by James Grier, Standish R. F. D. Below standard in butter fat and total solids. Above standard in specific gravity. A part of the cream has been removed.

No. 35273. Unofficial sample of milk. Sample contains added water.

No. 35390, I-573. Sample of milk sold by Byers & Barnes, Coldwater. Below standard in total solids and butter fat. A portion of the fat has been removed.

No. 35419, I-584. Sample of milk procured from Merl Smith, Charlotte. Below standard in butter fat and total solids. A part of the cream has been removed.

No. 35484, N-128. Sample of milk sold by Martin Curtin, Elkton R. F. D. Below standard in specific gravity, butter fat and total solids. Sample contains about 8% added water.

No. 35562, I-602. Sample of milk procured from L. B. Berton, Jackson. Below standard in specific gravity, butter fat and total solids. Contains about 11% added water.

No. 35563, I-603. Sample of milk procured from Roy Heath, Jackson. Below standard in specific gravity and total solids.

No. 35564, I-604. Sample of milk procured from L. Lambert, Jackson. Below standard in specific gravity, butter fat and total solids.

No. 35565, I-605. Sample of milk procured from C. C. Snythe, Jackson. Below standard in butter fat and total solids. A part of the cream has been removed.

No. 35849, N-129. Sample of milk sold by J. Koff, Saginaw R. F. D. Below standard in specific gravity and total solids. Contains about 13% added water.

No. 35850, N-130. Sample of milk sold by J. Meinecke, Saginaw R. F. D. Below standard in specific gravity, butter fat and total solids. Contains about 34% added water.

No. 35851, N-131. Sample of milk sold by Wm. Shoemaker, Saginaw R. F. D. Below standard in specific gravity and total solids. Contains about 22% added water.

No. 37025, X-10. Sample of milk sold by Fred Knopf, Blissfield. Below standard in butter fat and total solids.

No. 38251, N-132. Sample of milk sold by Jake Christner, Elkton. Below standard in butter fat and total solids. A part of the cream has been removed.

No. 38304, X-15. Sample of milk from John Meyer & Adam Hoffman, Monroe. Below standard in specific gravity and total solids. Sample contained added water.

No. 38399, X-18. Sample of milk sold by Haynes & Van Etten, Addison. Butter fat 2.9%. Normal milk below standard in butter fat.

No. 38400, X-19. Sample of milk sold by O. P. Foster, Addison. Butter fat 2.7%. Normal milk below standard in butter fat.

No. 38401, Z-20. Sample of milk sold by Crofoot & Durkee, Addison. Butter fat 2.8%. Normal milk below state standard in butter fat.

No. 38474, X-28. Sample of milk sold by Walter Roeder, Monroe. Butter fat 2.8%. Below standard in butter fat. Contains an excessive amount of sediment.

NUT MEATS.

No. 38477. Unofficial sample of nut meats. Meats are all rancid and wormy.

OLEOMARGARINE.

No. 35365, B-310. Sample of oleomargarine procured from E. Roll Metheny, Cadillac. Sign not displayed in conspicuous place. Illegal sale.

No. 35378, L-33. Sample of oleomargarine procured from Wolcott Bros., Flint. Misbranded in that the word oleomargarine is not in letters of sufficient size and because the package does not bear the manufacturer's name and address.

No. 35388, I-571. Sample of oleomargarine procured from Carroll Bros., Coldwater. No sign displayed. Illegal sale.

No. 35642, F-283. Sample of oleomargarine procured from Andrew Bucuss, Muskegon. No sign displayed. Illegal sale.

No. 36037, K-27. Sample of oleomargarine procured from William Lewis, 596 Dix Ave., Detroit. Product is oleomargarine artificially colored.

No. 36041, I-656. Sample of oleomargarine sold by Geo. Behmlander, 114 S. Lynn St., Bay City. Product is oleomargarine. No sign displayed.

No. 36091, L-104. Sample 2 pound package Good Luck Oleomargarine sold by C. H. Kretschmer, Saginaw. Advertisement in connection with sale of this product in violation of law.

No. 38145, B-330. Sample of oleomargarine put up by B. S. Pearsall, Elgin, Ill. Labeled "Oleomargarine, a substitute for butter." Misbranded.

OLIVES.

No. 33582. Unofficial sample of Peerless Manzanilla Olives. Misbranded in that the net weight is not properly stated.

No. 35132, L-24. Sample of "Sunbeam Pure Food Olives" put up by Austin Nichols & Co., New York, and procured from T. McIntosh & Co., Port Huron. Misbranded in that the net contents are not stated on the principal label.

No. 35204, L-25. Sample of "Spanish Olives" sold by the National Grocery Co., Port Huron, and procured from J. A. Maxwell Co., Port Huron. Misbranded in that the packer's name and address is not stated on the label.

No. 35593, B-318. Sample of olives sold by Symons Bros. & Co., Saginaw. Sample consists wholly or in part of a decomposed vegetable substance. Net contents not stated on the label.

ONIONS.

No. 35553, I-597. One quart onions purchased from Chas. N. Miller, Owosso. Measured in liquid quart measure. Short measure.

OYSTERS.

No. 35827, X-5. Sample of oysters procured from Sly & Smith, Flint. Contain an excessive amount of water.

No. 35828, X-6. Sample of oysters procured from C. F. St. Denis, Flint. Contain an excessive amount of water.

No. 38306, R-87. One pint oysters procured from J. W. Raleigh, 394 Grand River Ave., Detroit. Oysters contain an excessive amount of water.

PEACHES.

No. 35483, U-9. Bushel peaches put up by T. Mistretta, Coloma R. F. D. No. 3. Peaches were faced giving a false representation of the contents of the basket.

No. 35586, U-11. Bushel peaches packed by Albert Tidey, Benton Harbor, and procured from Peter Blyvies, Battle Creek. Approximately 12% were rotten and unfit for use. The faced or shown surface of this package gave a false representation as to its contents.

No. 35595, U-12. Bushel peaches packed by C. Federighi, Benton Harbor, and procured from Peter Blyvies, Battle Creek. Approximately 6% of the peaches were rotten and decomposed. The faced portion of this package gave a false representation of its contents.

No. 35609, U-13. Bushel peaches packed by Fred Krieger, Coloma, and procured from Peter Blyvies, Battle Creek. Per cent small peaches 60.4. About 5% were decayed and rotten. The faced or shown portion of this package gave a false representation of its contents.

No. 35617, U-15. Bushel peaches packed by C. M. Gustain, Benton Harbor, and procured from Peter Blyvies, Battle Creek. Per cent of small peaches 32.48. The faced or shown portion of this package gave a false representation of its contents.

No. 35618, U-16. Bushel of peaches packed by Frank Ortlepp, Coloma, and procured from Peter Blyvies, Battle Creek. Per cent of small peaches 37.6. Sixty-five of small peaches were green. Approximately 3% of entire lot were rotten. The faced or shown portion of this package gave a false representation of its contents.

No. 35620, U-18. Bushel peaches packed at the Empire Fruit Farm, Benton Harbor, and procured from Peter Blyvies, Battle Creek. Per cent of small peaches 29. Approximately 7% of the peaches were rotten and mouldy. The faced or shown portion of this package gave a false representation of its contents.

No. 35667, I-635. Bushel peaches sold to M. C. & E. V. Goossen, Lansing. Peaches were frozen. Unfit for food.

PEPPER.

No. 36026, G-1234. Sample of pepper put up by Arbuckle Bros., Chicago, Ill., and procured from John Beck, Baraga. Net weight not stated. Misbranded.

DILL PICKLES.

No. 35355, I-555. Can of dill pickles put up by the Harbauer Co., Toledo, and procured from Geo. H. Tubbs & Co., Charlotte. Improperly labeled. Should be labeled in terms of quarts and pints instead of terms of pounds and ounces.

PORK.

No. 38533. Unofficial sample of pork. Sample composed wholly or in part of a diseased animal substance.

POTATOES.

No. 35534, I-589. Bushel potatoes procured from N. B. Smith & Co., Durand. Potatoes were short weight.

No. 35569, I-606. One-half bushel potatoes procured from E. R. Hazard, Jackson. Potatoes were 8 lbs. and 8 oz. short weight.

No. 35572, I-610. One peck potatoes procured from Mrs. A. P. Collins, Jackson. Potatoes were one pound and 13 oz. short weight.

No. 35573, I-611. One peck potatoes procured from Manke Bros., Jackson. Potatoes were 2 lbs. and 13 oz. short weight.

No. 35578, I-616. One peck potatoes procured from J. A. Phillips, Jackson. Potatoes 1 lb. and 11 oz. short weight.

No. 35579, I-618. One bushel potatoes procured from Howard E. Frazier, Jackson, R. F. D. No. 8. Potatoes were 6 lbs. and 4 oz. short weight.

PRESERVES.

No. 38481, R-103. Sample of strawberry preserves put up by the Louisville Preserving Company, Louisville, Ky., and sold by I. J. Green, 139 Larned St., Detroit. Product is misbranded. Should be labeled "Imitation."

RICE.

No. 33810. Unofficial sample of rice. Product is coated with glucose and talc.

SAFFRON.

No. 37052, G-1239. Samples of saffron put up by Sherer & Gillett, Chicago, and procured from E. M. Lieblein, Hancock. Average shortage $7\frac{2}{3}$ grs. Short weight.

No. 37053, G-1240. Samples of saffron put up by Atwood & Steele Co., Chicago, and procured from E. M. Lieblein, Hancock. Average shortage 8 grs. Short weight.

No. 38433, G-1259. Samples of saffron put up by Atwood & Steel Company, Chicago, and sold by E. M. Lieblein, Calumet. Net weight not stated. Misbranded.

SALT.

No. 36096, G-1238. Sample of salt put up by Stearns Salt Works, Ludington. Net weight not stated. Misbranded.

SAUSAGE.

No. 35233, B-306. Sample of bologna sausage procured from E. S. Taylor, Pickford. Package or product not marked or stamped to indicate the presence of cereal.

No. 35319, I-558. Sample of bologna sausage manufactured and sold by Tallmage & Bauer, Albion. Package or product not marked or stamped to indicate the presence of cereal.

No. 35381, L-34. Sample of pork sausage manufactured and sold by W. C. Wolcott, Flint, package or product not marked to indicate the presence of cereal.

No. 35389, I-572. Sample of bologna sausage manufactured and sold by Burch & Kemp, Coldwater. Product contains an excessive amount of cereal.

No. 35391, I-574. Sample of bologna sausage manufactured and sold by L. Brown's Southern Michigan Packing Company, Coldwater. Product contains an excessive amount of cereal.

No. 35530, I-587. Sample of bologna sausage manufactured and sold by Lee Terwilligar, Bad Axe. Cereal present. Package or product not marked or stamped to indicate the presence of cereal.

No. 35550, I-594. Sample of bologna sausage manufactured and sold by Robert Raatz, Owosso. Cereal present. Package or product not marked or stamped to indicate the presence of cereal.

No. 3551, I-595. Sample of bulk pork sausage manufactured and sold by Ed. L. Carr, Owosso. Cereal 6.40%. Contains an excessive amount of cereal.

No. 35552, I-596. Sample of bologna sausage manufactured and sold by Ed. L. Carr, Owosso. Cereal 3.79%. Contains an excessive amount of cereal.

No. 35556, I-598. Sample of bologna sausage manufactured and sold by Wm. Payne, Ionia. Cereal 3.72%. Contains an excessive amount of cereal. Package or product not marked or stamped.

No. 35567, I-617. Sample of pork sausage manufactured and sold by H. G. Lewis, Jackson. Cereal present. Package not stamped to indicate the presence of cereal.

No. 35585, G-1229. Sample of bologna sausage manufactured and sold by Winter H. Suess, Negaunee. Cereal 2.95%. Product contains an excessive amount of cereal.

No. 35614, L-46. Sample of pork sausage procured from Wm. H. Dawe, Gladwin. Cereal present. Package not stamped to indicate the presence of cereal.

No. 35637, I-624. Sample of bologna sausage manufactured and sold by J. F. Rohrer, Grass Lake. Cereal 2.94%. Contains an excessive amount of cereal. Package or product not marked or stamped.

No. 35638, I-625. Sample of frankfort sausage procured from J. M. Blashill, Ann Arbor. Cereal present. Package or product not marked or stamped to indicate the presence of cereal.

No. 35651, I-626. Sample of bologna sausage manufactured and sold by G. A. Royer, Mendon. Cereal 4.62%. Contains an excessive amount of cereal.

No. 35655, L-48. Sample of pork sausage manufactured and sold by H. Breidenstein, Mt. Pleasant. Cereal present. Package or product not marked or stamped to indicate the presence of cereal.

No. 35726, I-636. Sample of bologna sausage manufactured and sold by Walter Bros., Belleville. Product contains an excessive amount of cereal.

No. 35804, X-4. Sample of bologna sausage manufactured and sold by W. C. Wolcott, Flint. Contains an excessive amount of cereal.

No. 35957, I-640. Sample of bologna sausage manufactured by Feldpausch Bros., Grand Rapids, and procured from M. H. Plant & Son, Portland. Contains an excessive amount of cereal.

No. 35958, I-641. Sample of bologna sausage manufactured and sold by Peake & Young, Portland. Contains an excessive amount of cereal.

No. 35969, I-647. Sample of bologna sausage manufactured by J. A. Peters, Detroit, and procured from Frank W. Irwin, 2048 W. Fort St., Detroit. Cereal 5.99%. Contains an excessive amount of cereal.

No. 35970, I-648. Sample of bologna sausage manufactured and sold by Wm. Gaedcke, 2436 E. Jefferson Ave., Detroit. Cereal present. Package or product not marked or stamped to indicate the presence of cereal.

No. 36017, I-653. Sample of bologna sausage manufactured and sold by P. E. Dodge, Romeo. Cereal present. Package or product not marked or stamped to indicate the presence of cereal.

No. 36018, I-654. Sample of pork sausage manufactured and sold by Henry L. Lee, Romeo. Cereal 3.43%. Product contains an excessive amount of cereal.

No. 36019, I-655. Sample of bologna sausage manufactured and sold by Chas. Lembke, Romeo. Cereal 7.31%. Product contains an excessive amount of cereal.

No. 36047, R-71. Sample of smoked sausage manufactured by Miller & Hart, Chicago, and procured from L. P. Frazho, 265 Holden St., Detroit. Artificially colored.

No. 36068, I-657. Sample of bologna sausage manufactured and sold by Chas. McMannus, Mt. Clemens. Cereal 3.03%. Product contains an excessive amount of cereal.

No. 36089, L-102. Sample of pork sausage manufactured and sold by Edw. Miller, Saginaw. Cereal present. Package not marked or stamped to indicate cereal.

No. 37015, I-658. Sample of bologna sausage manufactured and sold by F. X. Touscany, Mt. Clemens. Cereal 3.66%. Product contains an excessive amount of cereal.

No. 37016, I-659. Samples of bologna and frankfurt sausage manufactured and sold by A. Pringnitz & Sons, Mt. Clemens. Bologna contains 2.69% cereal. Frankfurts contains 3.79% cereal. Frankfurts contain excessive cereal. Package or products not marked to indicate presence of cereal.

No. 37030, I-661. Sample of bologna sausage manufactured and sold by C. W. Meldrum, New Baltimore. Cereal 3.54%. Product contains an excessive amount of cereal.

No. 37031, I-662. Sample of bologna sausage manufactured and sold by M. Marsack, New Baltimore. Cereal 3.31%. Product contains an excessive amount of cereal.

No. 37046, I-663. Sample of bologna sausage manufactured and sold by Chaskey & Breesse, Richmond. Cereal 5.36%. Sample contains an excessive amount of cereal.

No. 37047, I-664. Sample of bologna sausage manufactured and sold

by Frank V. Tedman, Rochester. Cereal 4.23%. Product contains an excessive amount of cereal.

No. 38122, G-1244. Sample of sausage manufactured by Armour & Co., Chicago, and procured from James Brier, Menominee. Cereal 3.98%. Product contains an excessive amount of cereal.

No. 38133, G-1240. Sample of pork sausage manufactured and sold by M. Telot, Menominee. Cereal 3.79%. Product contains an excessive amount of cereal.

No. 38286, L-116. Sample of sausage manufactured and sold by J. C. Heyn, Saginaw. Cereal present. Package or product not marked or stamped to indicate presence of cereal.

No. 38314, K-47. Sample of bologna sausage manufactured and sold by the Detroit Provision Company, 1010 Michigan Ave., Detroit. Cereal 3.29%. Product contains an excessive amount of cereal.

No. 38346, K-58. Sample of sausage procured from the Mark Market Co., Highland Park, and manufactured by Arnold Bros., Chicago. Cereal 5.62%. Contains an excessive amount of cereal.

No. 38347, K-59. Sample of pork sausage procured from D. S. Christy, 3027 Woodward Ave., Highland Park. Product contains cereal. Package or product not marked or stamped to indicate presence of cereal.

No. 38494, V-4. Sample of pork sausage manufactured and sold at Bazley's Market, Flint. Cereal 2.35%. Package not stamped to indicate presence of cereal.

No. 38499, V-9. Sample of pork sausage manufactured and sold by Zehender & Longenay, Flint. Cereal 2.4%. Package not stamped to indicate presence of cereal.

No. 38500, V-10. Sample of pork sausage manufactured and sold by L. M. Kehoe, Flint. Cereal 1.5%. Package not stamped to indicate the presence of cereal.

No. 38501, V-11. Sample of pork sausage manufactured and sold by Joe. Frumkin, Flint. Cereal 1.56%. Package not stamped to indicate the presence of cereal.

SCALLUPS.

No. 36097, R-73. Sample of scallups procured from Broadway Fish Co., Broadway Market, Detroit. Sample consisted wholly or in part of a decomposed, putrid, tainted and infected animal substance.

SUGAR CAKES.

No. 38231, L-115. Sample of sugar cakes manufactured by the Michigan Candy Company, Saginaw, and sold by Tanner & Daily, Bay City. The cakes consist of a mixture of maple sugar and cane or beet sugar. Percentage of ingredients other than maple not stated on label. Cakes not labeled.

SYRUPS AND SUGARS.

No. 35695, L-50. Sample of Old Inn Brand Syrup manufactured by the Torbitt & Castleman Co., Louisville, Ky., and sold by Phipps, Penoyer & Co., Saginaw. Misbranded in that the per cent of cane and maple syrup is not stated on the label.

No. 35822, R-61. Sample bottle syrup put up by Francis Leggett &

Co., New York, and procured from Troste & Tossey, 351 Sheridan, Detroit. A mixture of cane and maple syrup. Percentage of ingredients other than maple not stated on label. Misbranded.

No. 35840. Unofficial sample of Golden Tree Syrup. Net weight stated instead of net volume. Misbranded.

No. 35848, R-63. Sample of Purity Brand Vermont Syrup manufactured by E. J. Dossin, Detroit and procured from Fred Netzel, 551 Elmwood Ave., Detroit. Misbranded in that the label contains statements that are misleading.

No. 35906. Unofficial sample of Towle's Log Cabin Syrup. Per cent. of ingredients not stated on label. Misbranded.

No. 35936, R-67. Sample of Lion Brand Corn & Refiners Syrup sold by the Great Atlantic & Pacific Tea. Co., New York. Misbranded.

No. 35945, R-69. Sample of Great Lakes Brand Table Syrup manufactured by the Hay Preserving Co., Detroit. Misbranded.

No. 36095, G-1237. Sample of Broadway Brand Syrup distributed by E. R. Godfrey & Sons, Milwaukee, and procured from Lavigne Bros., Ishpeming. Percentage of ingredients not stated on label. Misbranded.

No. 37027. Unofficial sample of Farmhouse Cane & Maple Sugar. Percentage of ingredients not stated. Misbranded.

No. 38090, K-45. Sample of maple syrup procured from Thompson's restaurant, 107 Woodward Ave., Detroit. Product is sugar syrup with artificial maple flavor.

No. 38288. Unofficial sample of maple syrup. A mixture of maple and brown sugar syrups.

VINEGAR.

No. 35399. Unofficial sample of vinegar. Acidity 1.24%. Cannot be sold for vinegar.

No. 34047. Unofficial sample of vinegar. Acidity 2.91%. Low in acidity.

No. 34051. Unofficial sample of vinegar. Acidity 2.92%. Low in acidity.

No. 34063-34074. Unofficial samples of vinegar. Low in acidity.

No. 35405, I-580. Sample of cider vinegar manufactured by the Allegan Cider Vinegar Co., Allegan, and procured from Burrell Tripp, Allegan. A dilute vinegar to which foreign mineral matter has been added.

No. 35942, F-325. Sample of "Pure Cider Vinegar" manufactured by Edwin Fallis Canning Co., Lowell. Product consists wholly or in part of a mixture of cider vinegar and a foreign substance high in reducing sugars in imitation of a genuine cider vinegar. Below standard in acidity.

No. 35943, F-326. Sample of "Pure Cider Vinegar" manufactured by Edwin Fallis Canning Co., Lowell. Product consists wholly or in part of a mixture of cider vinegar and a foreign substance high in reducing sugars in imitation of a genuine cider vinegar. Below standard in acidity.

No. 38373, L-125. Sample of cider vinegar manufactured by the Harbauer Company, Toledo, and sold by Lee & Cady, Saginaw. Sample consists wholly or in part of a mixture of dilute acetic acid or distilled

vinegar, and a foreign substance high in reducing sugar and added mineral matter in imitation of a genuine cider vinegar.

No. 38464, L-128. Sample of cider vinegar manufactured by the Harbauer Company, Toledo, and procured from Lee & Cady, Saginaw. This vinegar is adulterated for the reason that it consists in whole or in part of a dilute acetic acid or distilled vinegar, a foreign substance high in reducing sugars and added mineral matter in imitation of genuine cider vinegar.

No. 38465, L-129. Sample of cider vinegar manufactured by the Harbauer Company, Toledo, and procured from Lee & Cady, Saginaw. This vinegar is adulterated for the reason that it consists wholly or in part of a mixture of dilute acetic acid or distilled vinegar, a foreign substance high in reducing sugars and added mineral matter in imitation of a genuine cider vinegar.

No. 38466, L-130. Sample of cider vinegar manufactured by the Harbauer Company, Toledo, and procured from Lee & Cady, Saginaw. This vinegar is adulterated for the reason that it consists of a mixture of a dilute acetic acid or distilled vinegar, a foreign substance high in reducing sugars and added mineral matter in imitation of a genuine cider vinegar.

No. 38468, L-132. Sample of cider vinegar manufactured by the Harbauer Company, Toledo, and procured from G. A. Alderton & Co., Saginaw. This vinegar is adulterated for the reason that it consists wholly or in part of a mixture of dilute acetic acid or distilled vinegar, a foreign substance high in reducing sugars and added mineral matter in imitation of a genuine cider vinegar.

No. 38504. Unofficial sample of vinegar. Acidity 1.70%. Below standard in acidity.

No. 38505. Unofficial sample of vinegar. Acidity 1.55%. Below standard in acidity.

DRUG ANALYST'S REPORT



Hon. J. W. Helme, Dairy and Food Commissioner, Lansing, Mich.:

Dear Sir:—I herewith beg to report on the work done in the Drug division during the fiscal year ending July 1, 1916. During this time there were 445 official samples analyzed. Out of this number 134, or about one out of every three, was found not to be in compliance with the provisions of the Drug Law.

A glance at the summary following this report shows that some 76 different pharmaceuticals were taken up by the inspectors and analyzed in this Department. We also analyzed during that time 20 proprietary preparations, 7 of which were condemned under the Shirley Amendment for the reason that unwarranted claims were made upon the labels in regard to the curative properties.

Prosecution was instituted against two of the proprietary proprietors as well as against a number of druggists who failed to heed the warning sent out by this Department to them in regard to certain preparations which they were making or handling, which did not comply with the Drug Law. The nature and number of prosecutions will be found under separate heading in another part of this report.

The two Drug Inspectors, aside from taking up the samples represented in this report, made several hundred inspections of drug stores from which no samples were taken. They also carried a weights and measures outfit, by which they tested every balance and weight found in the drug stores in this State. This, like the number of prosecutions, can be found under another heading, that of the weights and measures report.

During the coming year this Department expects to make a thorough investigation of every patent or proprietary preparation manufactured and sold in this territory. This Division further expects to make analyses of all cosmetics, such as hair tonics, face powder, etc., in order to show the coming Legislature the need of a law to regulate this class of business.

Your special attention is called to the summary. You will note that 107 samples of Tr. of Iodine were analyzed. Sixty-one, or 55% were condemned. This preparation is one which is to be found in almost every factory, and is one used as first aid in almost all minor injuries. Being such an important preparation, this Department has paid it special attention and it is hoped that the showing next year will be improved.

Yours truly,
A. R. TODD,
State Drug Analyst.

STATE OF MICHIGAN.

SUMMARY OF DRUGS.

Article.	Total.	Not found adulterated, misbranded or illegal.	Found adulterated, misbranded or illegal.
Absorbent cotton.....	2	2	0
Acid arsenious (T. T.).....	4	3	1
Acid boracic.....	3	3	0
Acid hydrochloric.....	3	1	2
Alkaline antiseptic.....	1	1	0
Antiseptic (Bernays) Blue.....	7	7	0
Aspirin.....	4	3	1
Belladonna plaster.....	1	1	0
Benedictine.....	3	1	2
Bismuth subnitrate.....	9	9	0
Blue ointment.....	4	3	1
Calomel (T. T.).....	7	7	0
Camphor liniment.....	19	16	3
Carbolic acid.....	1	0	1
Cascara aromatic (F. E.).....	9	9	0
Cascara U. S. P. (F. E.).....	10	10	0
Castor oil.....	1	1	0
Chlorinated lime.....	13	5	8
Citrate magnesia solution.....	1	1	0
Elixir bromide compound.....	3	3	0
Elixir potassium bromide.....	9	7	2
Essence pepsin.....	7	6	1
Extract cognac brandy.....	1	0	1
Extract gin.....	1	0	1
Extract lemon.....	1	1	0
Extract rum.....	1	0	1
Fig cascara.....	1	1	0
Formaldehyde.....	14	10	4
Formin.....	1	1	0
Fowlers solution.....	6	5	1
Headache wafers.....	2	2	0
Hexamethylamine.....	4	4	0
Hydrogen peroxide.....	5	3	2
Lemon flavoring oil.....	1	1	0
Liniment powder.....	1	1	0
Magnesium oxide.....	1	1	0
Menthylene blue.....	2	2	0
Mercurial ointment.....	3	1	2
Nitroglycerine tablets (T. T.).....	2	1	1
Nuxated iron.....	2	2	0
Oil pennyroyal.....	1	1	0
Oil tansy.....	1	1	0
Pancreatin (powdered).....	1	1	0
Pennyroyal herb.....	2	0	2
Phenolphthalein (C. T.).....	3	3	0
Potassium chlorate (C. T.).....	1	1	0
Potassium iodide.....	3	3	0
Potassium permanganate (C. T.).....	4	4	0
Proprietary preparations.....	20	13	7
Quinine (C. T.).....	1	1	0
Quinine sulphate.....	1	1	0
Salol (C. T.).....	1	1	0
Sedlitz powders.....	7	7	0
Sodium bicarbonate.....	2	2	0
Sodium bromide.....	1	1	0
Sodium iodide.....	1	1	0
Spirits camphor.....	35	25	10
Spirits nitre.....	13	5	8
Spirits peppermint.....	15	11	4
Strontium bromide.....	1	1	0

SUMMARY OF DRUGS,—*Concluded.*

Article.	Total.	Not found adulterated, misbranded or illegal.	Found adulterated, misbranded or illegal.
Strychnine sulphate (T. T.).....	5	5	0
Sulphur.....	9	9	0
Syrup hypophosphites.....	1	1	0
Syrup hypophosphites compound.....	3	3	0
Syrup iodide iron.....	1	1	0
Tansy herb.....	2	2	0
Tr. aconite.....	3	3	0
Tr. belladonna.....	2	2	0
Tr. ferri chloride.....	2	1	1
Tr. ginger.....	4	3	1
Tr. iodine.....	107	46	61
Tr. nux vomica.....	10	6	4
Turpentine.....	1	1	0
Whiskey.....	1	1	0
Zinc oxide ointment.....	8	7	1
Zinc sulphate.....	2	2	0
Totals.....	445	311	134

ACID HYDROCHLORIC.

No. 35300, Q-786. Sample of acid hydrochloric Dil. U. S. P. manufactured and sold by F. G. Scott, 163 Grand River Ave., Detroit. Low in hydrochloric acid.

No. 38051, Q-920. Sample of dilute hydrochloric acid manufactured and sold by F. G. Scott, 169 Grand River Ave., Detroit. Acid hydrochloric 23.0%. Not U. S. P. Contains an excessive amount of hydrochloric acid.

ASPIRIN.

No. 38237, Q-995. 5 gr. aspirin tablets put up by the Bayer Co., Inc., New York, and procured from Bertram Bros., 204 Fort St., Detroit. Low in aspirin content.

BENEDICTINE.

No. 35461, Q-826. Sample of Benedictine manufactured by the Arrow Distilleries Co., Peoria, Ill., and procured from David Rosenthal, 404 Gratiot Ave., Detroit. Sample is imitation benedictine.

No. 35775, K-15. Sample of benedictine manufactured by The Shott & Schmidt Co., Cincinnati, Ohio, and procured from Gustav Rosenberger, 138-140 Gratiot Ave., Detroit. Product is not genuine benedictine.

BLUE OINTMENT.

No. 35376, Z-673. Sample of blue ointment U. S. P. manufactured by A. H. Lyman Co., Manistee, and procured from the Hannah-Lay Mercantile Co., Traverse City. Low in mercury.

CAMPHOR LINIMENT.

No. 36083, Z-718. Sample of camphor liniment manufactured and sold by the Hamill Drug Co., 1160 S. Division Ave., Grand Rapids. Camphor 8.881%. Low in camphor.

No. 38114, Z-738. Sample of camphor liniment manufactured and sold by Swartwout & Swartwout, Marshall. Camphor 14.5%. Low in camphor.

No. 38272, Z-759. Sample of camphor liniment manufactured and sold by the Carney Drug Co., Decatur. Camphor 6.64%. Low in camphor.

CARBOLIC ACID.

No. 38338, Q-1010. Sample of carbolic acid 90% procured from Chas. Gerondale, 2517 Fort St., West, Detroit. Low in carbolic acid.

No. 38056, Q-925. Sample of chlorinated lime procured from Cunningham's, 89 Woodward Ave., Detroit. Available chlorine 23.5%. Low in available chlorine.

No. 38071, Q-940. Sample of chlorinated lime procured from J. M. Godfrey, 81 18th St., Detroit. Available chlorine 2.78%. Product wet and can rusty. Low in available chlorine.

No. 38077, Q-946. Sample of chlorinated lime procured from Grunow Drug Co., 93 Gratiot Ave., Detroit. Available chlorine 17.4%. Low in available chlorine.

No. 38080, Q-749. Sample of chlorinated lime procured from Greenthal Pharmacy Co., 199 Gratiot Ave., Detroit. Available chlorine 26.0%. Low in available chlorine.

No. 38085, Q-954. Sample of chlorinated lime procured from the Crosstown Drug Co., 351 Grandy Ave., Detroit. Available chlorine 27.7%. Low in available chlorine.

No. 38173, Q-966. Sample of chlorinated lime procured from R. C. Henderson, Millington. Available chlorine claimed 25%. Available chlorine found 16.8%. Low in available chlorine.

No. 38201, Q-982. Sample of chlorinated lime sold by Puhl, Webb & Co., Chicago, and procured from A. M. Bird, Milford. Available chlorine claimed 30%. Found 13.6%. Low in available chlorine.

No. 38273, Z-760. Sample of chlorinated lime procured from M. R. Anson, Kalamazoo. Available chlorine found 5.15%. Low in available chlorine.

ELIXIR POTASSIUM BROMIDE.

No. 35447, Q-812. Sample of elixir potassium bromide manufactured by the Toledo Pharmacal Company, Toledo. Adulterated in that the strength or quality does not conform to the strength or quality under which it was sold. Low in potassium bromide.

No. 38065, Q-934. Sample of elixir potassium bromide manufactured and sold at Kothes Pharmacy, 993 Kercheval, Detroit. Potassium bromide 13 gms. per 100 cc. Low in potassium bromide.

ESSENCE PEPSIN.

No. 35375, Z-672. Sample of Essence Pepsin procured from the American Drug Store, Traverse City. Does not comply with N. F. requirements. Low in pepsin strength.

EXTRACT COGNAC BRANDY.

No. 35674, Q-869. Sample of Extract Cognac Brand manufactured by the Modern Laboratory Co., Youngstown, Ohio, and procured from Frank Monaco, 652 Riopelle St., Detroit. Alcohol present. No statement of alcohol on label.

EXTRACT GIN.

No. 35673, Q-868. Sample of Extract Gin manufactured by the Modern Laboratory Co., Youngstown, Ohio, and procured from Frank Monaco, 652 Riopelle St., Detroit. Alcohol present. No statement of alcohol on label.

EXTRACT OF RUM.

No. 35672, Q-867. Sample of Extract of Rum manufactured by the Modern Laboratory Co., Youngstown, Ohio, and procured from Frank Monaco, 652 Riopelle St., Detroit. Alcohol present. No statement of alcohol on label.

FORMALDEHYDE.

No. 38050, Q-919. Sample of formaldehyde procured from F. G. Scott, 169 Grand River Ave., Detroit. Formaldehyde 35.4%. Does not conform to statement on label.

No. 38081, Q-950. Sample of formaldehyde procured from the Green-thal Pharmacy Co., 199 Gratiot Ave., Detroit. Product purchased for U. S. P. formaldehyde. Contains only 35.8% formaldehyde.

No. 38171, Q-964. Sample of formaldehyde procured from M. J. Morrish, 154 High St., Detroit. Claim U. S. P. Found 33.4% formaldehyde. Low in formaldehyde.

No. 38211, Q-992. Sample of formaldehyde procured from E. V. Glass, Bath. Low in formaldehyde.

FORMALDEHYDE SOLUTION.

No. 35890, Q-895. Sample of solution formaldehyde sold by the Michigan Drug Co., Detroit, and procured from H. D. Bowman & Son, Almont. Not U. S. P. Low in formaldehyde.

HYDROGEN PEROXIDE.

No. 38057, Q-926. Sample of peroxide hydrogen procured from Gitre's Drug Store, 216 Michigan Ave., Detroit. Hydrogen peroxide 2.86%. Not U. S. P. Low in hydrogen peroxide.

No. 38105, Q-962. Sample of peroxide hydrogen procured from Frank Monaco, 652 Riopelle St., Detroit. Hydrogen peroxide 2.64%. Not U. S. P. Low in hydrogen peroxide.

MERCURIAL OINTMENT.

No. 35460, Q-825. Sample of Ungt. Mercurial 50% sold by the Toledo Pharmacal Company, Toledo. Adulterated in that the strength falls below the professed standard under which it was sold. Low in mercury.

No. 35694, Q-889. Sample of mercurial ointment 50% manufactured

by the Columbus Pharmacal Co., Columbus, Ohio, and procured from S. C. Bush, Chelsea. Low in mercury.

PENNYROYAL HERB.

No. 38099, Q-956. Sample of Pennyroyal Herb put up by S. W. Gould & Bros., Waldron, Mass., and procured from H. Kuehn, 1536 Chene St., Detroit. Contains about 17.8% stems and foreign material. Contains an excessive amount of stems.

No. 38420, Q-1020. Sample of Pennyroyal Herb put up by S. W. Gould & Bros., Waldron, Mass. Contains an excessive amount of stems.

PROPRIETARY PREPARATIONS.

No. 35425, Q-790. Sample of Hegeman's Diarrhoea Remedy manufactured by Hegeman Co., New York, and procured from W. A. Rudell, Sault Ste. Marie. Product contains alcohol and morphine and is not labeled to indicate presence of same.

No. 35980, Q-901. Sample of DeWitt's Colic Cure manufactured by E. C. DeWitt & Co., Chicago, and procured from Wm. J. Brackman, New Haven. Morphine per oz. $\frac{3}{4}$ gr. No statement on label to indicate same.

No. 36048, Q-909. Sample of Bromosine manufactured and sold by Lambert & Lowman, Detroit. Contains an excessive amount of potassium bromide and chloral hydrate.

No. 37078, U-28. Sample of "Fountain of Life" Consumption Cure manufactured by Henry Fitz, Battle Creek. An aqueous solution consisting principally of salt and sugar flavored with oil of wintergreen. Misbranded in that the label bears a statement regarding the curative or therapeutic effect of the article which is false and fraudulent.

No. 38240, Q-998. Sample of "Caldwell's Syrup Pepsin" manufactured by the Pepsin Syrup Co., Monticello, Ill., and procured from H. S. Carpenter, Detroit. Product contains no active pepsin although labeled as syrup of pepsin.

No. 38236, Q-994. Sample of Auto-Town manufactured by Frederick A. Reuther, 761 Rush Ave., Detroit, and procured from J. H. Webster, 866 Jefferson Ave. East, Detroit. The circular that accompanies this preparation contains statements that are deceptive and misleading.

No. 38359, U-33. Sample of Indian Remedy manufactured by Chief Rheamount, Battle Creek. An aqueous decoction of herbs that will not conform to verbal claims purported to have been made by the manufacturer of this remedy.

SPIRITS CAMPHOR.

No. 35885, Q-890. Sample of spirits camphor manufactured and sold by W. H. Foster, 2069 Hamilton Blvd., Highland Park. Camphor 6.25%. Low in camphor.

No. 35892, Q-897. Sample of spirits camphor manufactured and sold by H. L. Parker, Dryden. Camphor 9.1%. Low in camphor.

No. 35986, Q-907. Sample of spirits of camphor manufactured and sold by J. M. Lemen, 2597 Michigan Ave., Springwells. Camphor 7.47%. Low in camphor.

No. 36082, Z-717. Sample of spirits camphor manufactured and sold

at Stuart's Pharmacy, 1927 Division Ave., Grand Rapids. Camphor 8.715%. Low in camphor.

No. 38151, Z-746. Sample of spirits camphor manufactured and sold by M. Hobbs, Fife Lake. Camphor 8.92%. Low in camphor.

No. 38181, Q-974. Sample of spirits camphor manufactured and sold by Lloyd Drug Co., 2320 Saginaw St., North, Flint. Camphor 6.63%. Low in camphor.

No. 38277, Z-763. Sample of spirits camphor manufactured and sold by Bryant Drug Co., Lansing. Camphor 6.64%. Low in camphor.

No. 38379, Z-774. Sample of spirits camphor manufactured and sold by C. B. Cretsinger, Kalamazoo. Camphor 8.83%. Low in camphor.

No. 38486, Z-785. Sample of spirits camphor manufactured and sold by E. E. Rouse, Benton Harbor, R. F. D. Camphor 7.88%. Low in camphor.

No. 38558, X-792. Sample of spirits camphor manufactured and sold by Edw. N. Spleidt, 351 Washington St., Muskegon. Camphor 7.88%. Low in camphor.

SPIRITS NITRE.

No. 35464, Q-829. Sample of Spirits Nitre procured from J. H. Rane, Whitmore Lake. Low in ethyl nitrite.

No. 35465, Q-830. Sample of Spirits Nitre procured from Geo. L. Close, Whitmore Lake. Low in ethyl nitrite.

No. 35540, Q-838. Sample of Spirits Nitre procured from A. A. Hackett, Napoleon. Does not conform to U. S. P. requirements. Low in ethyl nitrite.

No. 35679, Q-874. Sample of Spirits Nitre manufactured and sold by Martin Robinson, 518 Hastings St., Detroit. Does not conform to U. S. P. requirements. Low in ethyl nitrite.

No. 35984, Q-905. Sample of spirits nitre manufactured and sold by J. F. Hartz, Detroit. Nitrous ether 2.387%. Low in ethyl nitrite.

No. 37070, Z-732. Sample of spirits nitre procured from J. E. Adamson, 625 Harrison St., Bay City. Ethyl nitrite 2.685%. Low in ethyl nitrite.

No. 38049, Q-918. Sample of spirits nitre manufactured and sold by F. G. Scott, 169 Grand River Ave., Detroit. Ethyl nitrite 2.87%. Low in ethyl nitrite.

No. 38239, Q-997. Sample of spirits nitre manufactured and sold by H. S. Carpenter, 211 E. Jefferson Ave., Detroit. Ethyl nitrite 1.77%. Low in ethyl nitrite.

SPIRITS PEPPERMINT.

No. 35536, Q-834. Sample of Spirits Peppermint manufactured and sold by A. H. Taggart, Norvell. Oil of peppermint 5.5%. Low in oil of peppermint.

No. 35987, Q-908. Sample of Spts. Peppermint manufactured and sold by J. M. Lemen, 2597 Michigan Ave., Springwells. Oil of peppermint 7.9%. Low in oil of peppermint.

No. 38209, Q-990. Sample of Spts. Peppermint manufactured and sold by E. V. Glass, Bath. Oil of peppermint 4.4%. Low in oil of peppermint.

No. 38488, Z-787. Sample of spirits peppermint manufactured and

sold by F. C. Gillespie, St. Joseph. Oil of peppermint 1.6%. Low in peppermint.

TR. FERRI CHLORIDE.

No. 38059, Q-928. Sample of Tr. Ferri Chloride manufactured and sold by L. W. Gitre's Drug Store, 216 Michigan Ave., Detroit. Metallic iron 3.7%. Low in metallic iron.

TR. GINGER.

No. 38214, Z-753. Sample of Tr. Ginger manufactured and sold by C. H. Milner, Big Rapids. Low in alcohol.

TINCTURE IODINE.

No. 35243, Z-659 $\frac{1}{2}$. Sample of Tr. Iodine manufactured and sold by J. L. Conley, Whitehall. Does not conform to U. S. P. requirements. High in iodine and potassium iodide.

No. 25301, Q-787. Sample of Tr. Iodine manufactured and sold by F. G. Scott, 163 Grand River Ave., Detroit. Not a U. S. P. preparation. Low in potassium iodide and high in iodine.

No. 35307, Z-663. Sample of Tr. Iodine manufactured and sold by C. N. Menold, Thompsonville. Not a U. S. P. preparation. Low in iodine and potassium iodide.

No. 35309, Z-665. Sample of Tr. Iodine manufactured and sold by C. H. Bostick, Manton. Does not conform to U. S. P. requirements. Low in iodine and potassium iodide.

No. 35350, Z-667. Sample of Tr. Iodine manufactured and sold by Eckel Drug Co., Petoskey. Not U. S. P. Low in iodine and potassium iodide.

No. 35410, Z-679. Sample of Tr. Iodine manufactured and sold by W. H. Quigley, Grand Rapids. Contains an excessive amount of potassium iodide.

No. 35411, Z-680. Sample of Tr. Iodine manufactured and sold at City Drug Store, F. J. Maus, Prop., Kalamazoo. Low in iodine.

No. 35428, Q-793. Sample of Tr. Iodine manufactured and sold by Chas. N. Ghent, Alpena. Low in iodine and contains no potassium iodide.

No. 35487, Z-683. Sample of Tr. Iodine manufactured and sold by J. M. Perkins, Negaunee. Low in iodine and potassium iodide.

No. 35535, Q-833. Sample of Tr. Iodine manufactured and sold by A. H. Taggart, Norvell. Low in iodine and potassium iodide.

No. 35677, Q-872. Sample of Tr. Iodine manufactured and sold by A. L. Turner, 510 St. Antoine St., Detroit. Low in potassium iodide.

No. 35678, Q-873. Sample of Tr. Iodine manufactured and sold by Martin Robinson, 518 Hastings St., Detroit. Contains an excessive amount of iodine and potassium iodide.

No. 35826, Z-698. Sample of Tr. Iodine manufactured and sold at the Barber Drug Store, Dowagiac. Low in iodine and potassium iodide.

No. 35882, Z-700. Sample of Tr. Iodine manufactured and sold by H. D. Pew, Palo. Low in iodine and potassium iodide.

No. 35891, Q-896. Sample of Tr. Iodine manufactured and sold by H. L. Parker, Dryden. Low in iodine.

No. 35947, Z-707. Sample of Tr. Iodine manufactured and sold by M.

V. Wilson, Sand Lake. Iodine 6.03 gms. potassium iodide 4.61 gms. per 100 cc. Below standard in iodine and potassium iodide.

No. 35948, Z-708. Sample of Tr. Iodine manufactured and sold by A. W. Burnett, Sand Lake. Iodine 6.65 gms. potassium iodide 3.25 gms. per 100 cc. Below standard in potassium iodide.

No. 35977, Q-898. Sample of Tr. Iodine manufactured and sold by F. J. Needham, 571 Lafayette Ave., West., Detroit. Iodine 5.2 gms. Potassium iodide 4.424 gms. per 100 cc. Low in iodine and potassium iodide.

No. 35981, Q-902. Sample of Tr. Iodine manufactured and sold by Clements & Mason, New Baltimore. Iodine 4.75 gms., potassium iodide 1.681 gms. per 100 cc. Low in iodine and potassium iodide.

No. 35985, Q-906. Sample of Tr. Iodine manufactured and sold by J. M. Lemen, 2597 Michigan Ave., Springwells. Iodine 1.5 gms., potassium iodide none. Low in iodine and contains no potassium iodide.

No. 36023, Z-711. Sample of Tr. Iodine manufactured and sold by Henry W. Rodenbaugh, Breedsville. Iodine 6.7 gms., potassium iodide none. Low in potassium iodide.

No. 36024, Z-712. Sample of Tr. Iodine manufactured and sold by Downie & Beattie, Richland. Iodine 3.9 gms., potassium iodide 2.974 gms. per 100 cc. Low in iodine and potassium iodide.

No. 36078, Z-714. Sample of Tr. Iodine manufactured and sold by M. T. Karcher, Thompsonville. Iodine 4.6 gms., potassium iodide none. Low in iodine and contains no potassium iodide.

No. 36084, Z-719. Sample of Tr. Iodine manufactured and sold by C. F. Frost, 1103 Division Ave., South, Grand Rapids. Iodine 6.25 gms., potassium iodide 3.984 gms. per 100 cc. Low in iodine and potassium iodide.

No. 36085, Z-720. Sample of Tr. Iodine manufactured and sold by J. G. Steketee, 759 Division Ave., South, Grand Rapids. Iodine 6.35 gms., potassium iodide 4.990 gms. per 100 cc. Low in iodine.

No. 37036, Z-724. Sample of Tr. Iodine manufactured and sold by Blink & Kirchner, 1301 Court St., Saginaw W. S. Iodine 6.355 gms., potassium iodide 4.471 gms. per 100 cc. Low in iodine.

No. 37037, Z-725. Sample of Tr. Iodine manufactured and sold by Richter Drug Store, 1200 Court St., Saginaw W. S. Iodine 6.7 gms., potassium iodide 4.090 gms. per 100 cc. Low in potassium iodide.

No. 37066, Z-728. Sample of Tr. Iodine manufactured and sold by E. W. Pollard, 1319 Genesee St., Saginaw E. S. Iodine 4.9 gms., potassium iodide none. Low in iodine and potassium iodide.

No. 38032, Z-735. Sample of Tr. Iodine manufactured and sold by W. T. Foley & Co., 319 Marquette St., Bay City. Iodine 5.5 gms., potassium iodide 4.275 gms. per 100 cc. Low in iodine.

No. 38045, Q-914. Sample of Tr. Iodine manufactured and sold by Hamlen & Dedenbach, 837 Gratiot Ave., Detroit. Iodine 10.15 gms., potassium iodide 5.236 gms. Contains an excessive amount of iodine.

No. 38046, Q-915. Sample of Tr. Iodine manufactured and sold by Reedy & Grashan, 116 Clifford St., Detroit. Iodine 7.5 gms., potassium iodide 4.148 gms. per 100 cc. Low in potassium iodide.

No. 38053, Q-922. Sample of Tr. Iodine manufactured and sold at Cunninghams, 89 Woodward Ave., Detroit. Iodine 6.1 gms., potassium iodide 3.708 gms. per 100 cc. Low in potassium iodide.

No. 38060, Q-929. Sample of Tr. Iodine manufactured and sold by O. R. Kurz, 752 Michigan Ave., Detroit. Iodine 5.5 gms., potassium iodide 5.824 gms. per 100 cc. Low in iodine.

No. 38063, Q-932. Sample of Tr. Iodine manufactured and sold at Alfred Pharmacy, 510 St. Antoine St., Detroit. Iodine 4.7 gms., potassium iodide 5.031 gms. per 100 cc. Low in iodine.

No. 38066, Q-935. Sample of Tr. Iodine manufactured and sold at Kothe's Pharmacy, 993 Kercheval, Detroit. Iodine 4.1 gms., potassium iodide none. Low in iodine and contains no potassium iodide.

No. 38100, Q-957. Sample of Tr. Iodine manufactured and sold by M. K. Smith, 848 Trombly, Detroit. Iodine 4.87 gms., potassium iodide 2.461 gms. per 100 cc. Low in iodine and potassium iodide.

No. 38116, Z-740. Sample of Tr. Iodine manufactured and sold by Reichels Drug Store, 634 Bridge St., Grand Rapids. Iodine 6 gms., potassium iodide 3.929 gms. per 100 cc. Low in iodine and potassium iodide.

No. 38117, Z-741. Sample of Tr. Iodine manufactured and sold by W. P. Wolf, 301 Bridge St., Grand Rapids. Iodine 6.16 gms., potassium iodide 4.863 gms. per 100 cc. Low in iodine.

No. 38147, Z-742. Sample of Tr. Iodine manufactured and sold by C. W. Fallas, Petoskey. Iodine 6.98 gms., potassium iodide 13.234 gms. per 100 cc. Contains an excessive amount of potassium iodide.

No. 38177, Q-970. Sample of Tr. Iodine manufactured and sold by L. A. Hooper, Caro. Iodine 6 gms., potassium iodide 4.22 gms. per 100 cc. Low in iodine and potassium iodide.

No. 38179, Q-972. Sample of Tr. Iodine manufactured and sold by O. C. Palmer, Caro. Iodine 6 gms., potassium iodide 4.57 gms., per 100 cc. Low in iodine.

No. 38183, Q-975. Sample of Tr. Iodine manufactured and sold by Lloyd Drug Co., 2320 Saginaw St., North, Flint. Iodine 6.42 gms., potassium iodide 3.43 gms. per 100 cc. Low in iodine and potassium iodide.

No. 38184, Q-977. Sample of Tr. Iodine manufactured and sold by J. W. Doran, 1232 Broadway, Flint. Iodine 5.15 gms., potassium iodide 3.96 gms. per 100 cc. Low in iodine and potassium iodide.

No. 38186, Q-980. Sample of Tr. Iodine manufactured and sold by J. W. Berridge, 401 Detroit St., Flint. Iodine 13.5 gms., potassium iodide 12.27 gms. per 100 cc. This preparation is about double strength. Contains an excessive amount of iodine and potassium iodide.

No. 38197, Z-749. Sample of Tr. Iodine manufactured and sold by W. H. Tibbs, 223 S. Division Ave., Grand Rapids. Potassium iodide 2.810 gms. per 100 cc. Low in potassium iodide.

No. 38206, Q-987. Sample of Tr. Iodine manufactured and sold by E. L. Langworthy, Linden. Iodine 5.35 gms., potassium iodide 3.174 gms. per 100 cc. Low in iodine and potassium iodide.

No. 38213, Z-752. Sample of Tr. Iodine manufactured and sold at Tripp's Drug Store, Allegan. Iodine 5.64 gms., potassium iodide 3.698 gms. per 100 cc. Low in iodine and potassium iodide.

No. 38216, Z-755. Sample of Tr. Iodine manufactured and sold by A. W. Burnett, Sand Lake. Iodine 5.27 gms., potassium iodide 8.745 gms. per 100 cc. Low in iodine and high in potassium iodide.

No. 38238, Q-996. Sample of Tr. Iodine manufactured and sold by H. S. Carpenter, 211 E. Jefferson Ave., Detroit. Iodine 5.45 gms. po-

tassium iodine 3.719 gms. per 100 cc. Low in iodine and potassium iodide.

No. 38244, Q-1002. Sample of Tr. Iodine manufactured and sold by Goodrich & Hallock, Hillsdale. Iodine 6.25 gms. per 100 cc. Low in iodine.

No. 38254, Q-1004. Sample of Tr. Iodine manufactured and sold at Haig Pharmacy, Ypsilanti. Iodine 6.14 gms. per 100 cc. Low in iodine.

No. 38256, Q-1006. Sample of Tr. Iodine manufactured and sold by John Layman, Mt. Morris. Iodine 5.35 gms., potassium iodide .18 gms. per 100 cc. Low in iodine and potassium iodide.

No. 38330, Z-769. Sample of Tr. Iodine manufactured and sold by E. H. Lemire, White Cloud. Iodine 5.81 gms., potassium iodide 0.3 gms. per 100 cc. Low in iodine and potassium iodide.

No. 38334, Z-773. Sample of Tr. Iodine manufactured and sold by W. C. Wolf, 1154 S. Division Ave., Grand Rapids. Potassium iodide 0.6 gms. per 100 cc. Low in potassium iodide.

No. 38337, Q-1009. Sample of Tr. Iodine manufactured and sold by N. A. Lippard, 1278 W. Fort St., Detroit. Iodine 5.4 gms., potassium iodide 0.656 gms. per 100 cc. Low in iodine and potassium iodide.

No. 38340, Q-1012. Sample of Tr. Iodine manufactured and sold at Haig Pharmacy, Ypsilanti. Iodine 6.29 gms., potassium iodide 4.467 gms. per 100 cc. Low in iodine and potassium iodide.

No. 38363, Q-1015. Sample of Tr. Iodine manufactured and sold at the Tubbs Pharmacy, Chesaning. Iodine 6.09 gms. per 100 cc. Low in iodine.

No. 38417, Z-1017. Sample of Tincture Iodine manufactured and sold by J. H. Vandecar, North Branch. Potassium iodide 2.244 gms. per 100 mils. Low in potassium iodide.

No. 38513, Z-789. Sample of Tincture Iodine manufactured and sold by Chas. E. Bird, Saugatuck. Iodine 2.68 gms., potassium iodide 2.78 gms. per 100 mils. Low in iodine and potassium iodide.

No. 38515, Z-791. Sample of Tincture Iodine manufactured and sold by Frank J. Maus, Kalamazoo. Iodine 5.46 gms., potassium iodide 3.922 gms. per 100 mils. Low in iodine and potassium iodide.

No. 38542, Z-788. Sample of Tincture Iodine manufactured and sold by Wm. Murphy & Co., Harrison. Iodine 1.8 gms., potassium iodide 2.4 gms. per 100 mils. Low in iodine and potassium iodide.

TR. NUX VOMICA.

No. 35302, Q-788. Sample of Tr. Nux Vomica manufactured and sold by F. G. Scott, 163 Grand River Ave., Detroit. Adulterated in that it falls below the standard under which it was sold.

No. 38055, Q-924. Sample of Tr. Nux Vomica manufactured and sold at Cunninghams, 89 Woodward Ave., Detroit. Strychnine .0338 gms. per 100 mils. Low in strychnine.

No. 38058, Q-927. Sample of Nux Vomica manufactured and sold at L. W. Gitre's Drug Store, 216 Michigan Ave., Detroit. Strychnine .0415 gms. per 100 mils. Low in strychnine.

No. 38070, Q-939. Sample of Tr. Nux Vomica manufactured and sold by J. M. Godfrey, 81 18th St., Detroit. Strychnine .0338 gms. per 100 mils. Low in strychnine.

T. T. ACID ARSENOUS.

No. 35438, Q-803. Sample of T. T. Acid Arsenous 1/50 gr. manufactured by the Norwich Pharmacal Co., Norwich, N. Y. Adulterated in that the standard of strength and quality does not conform to the standard of strength or quality under which it was sold. Low in arsenous acid.

NITROGLYCERINE.

No. 35351, Q-816. Sample of Nitro Glycerine 1/100 gr. manufactured by the Toledo Pharmacal Co., Toledo, Ohio, and procured from A. E. A. Mummery, Saline. Does not conform to the strength under which it was sold.

ZINC OXIDE OINTMENT.

No. 35459, Q-824. Sample of zinc oxide ointment U. S. P., manufactured by the Toledo Pharmacal Co., Toledo. Low in zinc Oxide.

DAIRY DIVISION REPORT

Lansing, Mich., July 1, 1916.

Hon. James W. Helme, Dairy and Food Commissioner, Lansing, Michigan:

Dear Sir:—I beg herewith to report on the educational work done in the Dairy Division of the Department for the year ending June 30, 1916.

EDUCATIONAL BUTTER SCORING TESTS.

The monthly series of these tests has been so arranged as to end on January 1st. I am, accordingly, submitting results of these tests for the annual period ending January 1, 1916, and for the semi-annual period ending June 30, 1916. For the semi-annual period only the months of January, February, April, May and June were used in making up the report. The March entries were not included due to the fire in the department office and laboratories which made it impossible to get results for this month, hence the omission.

A total of 503 samples were received for the annual period ending January 1, 1916, and 202 samples for the semi-annual period ending June 30, 1916, exclusive of the 48 entries received for the March test not included in the results.

I am submitting the rules governing the work so that it may be more easily understood as to how the ratings in the several columns or divisions are obtained. Attention is directed to the significance of the fact that the three names receiving the highest average rating over all are creameries that have been licensed by the Department to use the Michigan Brand or Trademark in connection with the manufacture and marketing of their butter. This fact not only indicates the care with which these creameries were selected but has an additional significance which I believe has been largely overlooked in invoicing the numerous advantages that may be obtained by Michigan creameries through the operation of the State Trademark for Michigan butter. The Division's observations clearly establish the fact that butter makers operating creameries which have been licensed by the Department to use the State Trademark are spurred to greater efforts in the details of creamery butter manufacture, which fact alone no doubt is of considerable advantage financially to these creameries. The conclusion is made possible through the comprehensive and efficient rating system in connection with these monthly butter making tests conducted by this Division.

STATE BUTTER BRAND.

The Division is pushing the new State Butter Brand or Trademark with all possible energy, being confident that it offers a concrete foundation on which to build for the improvement of creamery butter conditions in the state. The rules, regulations and specifications governing this work were made effective by the State Brand Butter Commission,

January 1, 1916. Since that time the following creameries have been licensed by this Department to use the Brand in connection with the manufacture and marketing of their butter: Utica Co-Operative Creamery Co., Utica; Alto Co-Operative & Co-Partnership Creamery Association, Ltd., Alto; Parma Butter Co., Parma; Farmers Co-Operative Creamery Co., Nashville; Salem Creamery (Jesse Norgaard, proprietor), Burnips Corners; Caledonia Co-Operative Co-Partnership Creamery Association, Ltd., Caledonia; Farmers Co-Operative Creamery Co., Conklin.

Seventeen applications to use the Brand on file in this Division have as yet not been definitely acted upon. Indications are that creameries in the state are generally cognizant of the value the Brand would be to them and numerous other creameries in the state which have as yet not made formal application are making arrangements as fast as possible to qualify for the use of the Brand.

Under the present system of marketing creamery butter, the consumer has no means of differentiating between butter made from good, fresh, sanitary, raw material made in clean factories from that not made under such conditions. Indications are that consumers are going to demand in the near future to know more about the conditions under which the butter is being made and the quality of the raw material going into its manufacture. Thus it would seem that creameries qualifying for the use of the State Brand will have a distinct advantage in the marketing of their product. It is apparent that as soon as a sufficient quantity of State Brand butter appears on the market, thus giving the consumer an opportunity to distinguish between State Brand butter and that which does not bear the State's label, the retailer will be obliged to carry in stock butter containing the State's Trademark. From the standpoint of improving the raw material received at the creameries, an opportunity is presented to point out to the producer the money value of the Brand to him providing he is willing to furnish a grade of milk or cream that will be permissible in the manufacture of butter carrying the State label.

The Department's activity in connection with this work may be likened to the present national preparedness policy, in a commercial sense, as it is now quite generally agreed that especially the smaller creameries are totally unprepared to meet any sort of aggression designed to get control of the butter markets. This condition is already apparent but in order to perfect a better marketing system of our Michigan butter under the State Trademark, it is imperative that butter be uniform. In order to have uniformity in butter made at different plants, some connection must be established between these small plants located in a certain unit of territory.

FEDERATING CO-OPERATIVE CREAMERIES.

For the purpose of demonstrating the practicability of federating co-operative organizations, the Division has fathered the federating of a group of creameries tributary to Grand Rapids. The organization is composed of eighteen co-operative plants which collectively provide a revenue of approximately \$4,000.00 annually by a uniform tax of one mill for each pound of butter made at the several creameries belonging to the organization. The object of this federated group of creameries as stated in its articles of association is, to establish a main or general

office with a secretary and general manager, in charge and through said office or Department improve the general operating and business efficiency of its members and the finished product of its factories. The organization has now been in actual operation for several months and the benefits are rapidly becoming apparent and I feel safe in saying that the undertaking has passed out of the experimental stage and it may now be pronounced a success from every standpoint. There are, of course, objections to the principle of this movement on the part of the co-operative organizations from some quarters but a little reflection should convince anyone of its ultimate necessity in order to make co-operation directly effective and beneficial to both producer and consumer.

The Division is considering fostering organizations such as mentioned above in other sections of the state. The several units thus organized may then eventually be federated into a state-wide organization.

CO-OPERATIVE CREAMERIES.

The Department continues to receive frequent requests for assistance in organizing farmers' co-operative creameries, all of which are promptly complied with. In fact, we are encouraging the organization of co-operative creameries in all communities in the state where local conditions warrant. The Department feels justified in encouraging this form of creamery operation, principally due to the fact that a survey conducted by this Division reveals that producers marketing their milk and cream through their own co-operative creamery receive on an average approximately five cents a pound more for their butter fat, and it is this fact that should make this form of operating creameries staple, especially in view of the fact that in many localities producers of milk and cream are not receiving enough for their product to cover the cost of production.

Respectfully submitted,
H. D. WENDT,
In Charge Dairy Division.

BUTTER SCORING RULES.

1. Exhibitors are required to submit with each entry a report on blanks furnished by this department containing details of manufacture as well as the result of the exhibitor's own score and analysis for composition. Failure to submit this report bars the exhibitor from participating in any awards and the entry will receive a complimentary score only. Each exhibitor will receive credit for the completeness and accuracy of the report. For details note paragraph 7.

DIVISIONS AND AWARDS.

2. In awarding diplomas exhibitors must receive an average score of 92 points out of a possible 100 in the following divisions:

Division 1.

3. This Division embodies the commercial score based on the following standard: Flavor 45, Body 25, Color 15, Salt 10, Package 5.

Division 2.

4. In this Division the exhibitor scores his own entry according to the same standard used by the official judges (note Division 1) and for each point or fraction thereof differential from the official score multiplied by three and the results subtracted from 100 constitutes the exhibitor's standing in this division. Note—It is suggested that each exhibitor retain a sample of his butter until the date set for scoring which will be mentioned in the call before he finally records his own score, in order to have the product of the same age as the entry submitted for judgment to the department scoring. The method report containing exhibitor's score and also his own analysis for composition is mailed to the department as soon after the date set for scoring as possible.

Division 3.

5. In this Division the exhibitor is given credit for the accuracy of his own analysis for composition.

The same rule in arriving at the score in this division applies as in Division 2, i. e., that each point or fraction thereof differential from the analysis as made by the department multiplied by three and subtracted from 100 constitutes the exhibitor's score in this division. Each exhibitor reporting results of analysis for moisture and salt will have the accuracy of his analysis based on the theory that the analysis was completed, meaning that the department will consider the curd one per cent and the balance fat. Failure to report result of moisture test will carry a penalty of ten points on the score. Failure to report result of sale test will carry five points penalty.

Division 4.

6. This Division embodies the composition score based on the results of the official analysis for composition on the following standard:

Fat	81%
Water	15%
Salt	3%
Curd	1%
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Total	100%

For each point or fraction thereof differential from the analysis as made by the department, multiplied by two and deducted from 100 constitutes the exhibitor's score in this division. Provided, That in case where the legal water limit of 16% is exceeded or the sample falls below the legal limit in this state of 80% fat, a penalty of five points for each will be applied.

Division 5.

7. This Division embodies the exhibitor's method report. Each exhibitor will receive credit for the accuracy and completeness of his method report on the following basis:

	WEIGHT.
1. Accuracy	50
2. Completeness	50
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Total	100

First Subject—Accuracy.

This embodies the accuracy of exhibitor's report on the amount of fat churned and the butter made, and the amount of loss in manufacture based and computed on the amount of fat received and butter made, and the resultant overrun and the overrun as based on the official analysis for composition.

Second Subject—Completeness.

This embodies the completeness of the report as to questions asked and answered.

Note: Failure to submit method report bars the exhibitor from participating in any division except Division 1, but the score in that division will be complimentary only.

List of co-operative creameries organized under the Department's supervision, for the biennial period ending June 30, 1916:

Reese Co-Operative Butter & Cheese Co., Reese, Mich.

Columbiaville Co-Operative Creamery Co., Columbiaville, Mich.

Harbor Beach Farmers' Co-Operative Creamery Co., Harbor Beach, Mich.

St. Louis Co-Operative Creamery Co., St. Louis, Mich.
Alcona Co-Operative Creamery Co., Lincoln, Mich.
Coral Co-Operative Creamery Co., Coral, Mich.
Marion Co-Operative Creamery Co., Marion, Mich.
Farmers' Co-Operative Creamery Co., Merrill, Mich.
Claybanks Co-Operative Creamery Co., Montague, Mich. .
Delton Co-Operative Creamery Co., Delton, Mich.
Nashville Farmers' Co-operative Creamery Co., Nashville, Mich.
Linden Co-Operative Creamery Co., Linden, Mich.
Lansing Co-Operative Dairy Co., Lansing, Mich.
Constantine Co-Operative Creamery Co., Constantine, Mich.
Harbor Springs Co-Operative Creamery Co., Harbor Springs, Mich.
Mulliken Co-Operative Creamery Co., Mulliken, Mich.
Cedar Springs Co-Operative Creamery Co., Cedar Springs, Mich.
Elkton Co-Operative Creamery Co., Elkton, Mich.
Breckenridge Co-Operative Creamery Co., Breckenridge, Mich.

CONTROLLING THE COMPOSITION OF BUTTER.

BY H. D. WENDT.

INTRODUCTION.

The composition, deductions and summary herewith submitted are based on the result of a detailed study and investigation, extending over a period of more than three years in connection with the monthly educational butter tests conducted by the Michigan Dairy and Food Department, under the supervision of the writer. This investigation includes the results of analysis for composition of approximately 2,000 samples of butter and representing as many churnings, of which a complete record was made of the methods and temperatures employed, and the methods and influences here cited as affecting the amount or control of water in butter are the result of the deductions made from the foregoing investigations.

NORMAL METHODS AND WATER IN BUTTER.

The questions of what constitutes normal methods in butter-making and the normal amount of water in butter are debatable points and quite difficult to determine. The methods of manufacture and the amount of water in butter may be considered normal, however, where no effort was made to obtain an undue amount of water and where the aim is to make only butter of the best quality and texture. The butter submitted by the Michigan creameries in the Department's monthly tests for scoring and analysis for composition, consisting of approximately 2,000 samples, and received from all over the state, show an average of approximately 13% water, ranging from 9.2% to 18.7%; 5% of the samples showing 10% or less, 76% showing from 13 to 14 per cent, and 14% showing 15 per cent or more of water. In most cases where the

water went below 11%, the judges objected to the texture as being either crumbly or having a leaky body, where the butter showed water content of from 13 to 14 per cent, the texture was heavy and waxy (the most desirable condition in butter texture). The samples showing in excess of 15% or 15.5% were in most cases greasy and overworked.

CONTROL OF WATER IN BUTTER ESSENTIAL.

The control of water in butter is essential for several reasons. That the amount of water in butter be efficiently controlled is desirable from the standpoint of profits, and also to protect the quality of the butter. A too low amount of water would be unprofitable to the creamery. A too high amount will encourage the work of microorganisms and chemical activities and thus affect the keeping qualities of the butter, also avoid the possibility of exceeding the legal limit. (Federal standard of 16%).

INFLUENCES THAT AFFECT THE AMOUNT OF WATER IN BUTTER.

No point in connection with the manufacture of creamery butter in recent years has received any more attention by the creameries and buttermakers than the question of controlling the amount of water in butter, within close limits. Quite an array of influences may be cited that have some minor bearing on the question under discussion; most of these, however, are merely links in the chain and more or less unstable in their influence on the main and connecting link.

RAW CREAM VS. PASTEURIZED.

In considering the influence or effect of pasteurization on the water content of butter, it is essential to note the method and temperatures employed, two systems being in vogue. The continuous or flash system is where the cream passes through a machine in a continuous flow and is subjected to the pasteurizing temperature for only a brief period (approximately one minute). The other, which is the so-called intermittent system, where the cream is brought to the pasteurization temperature in a vat equipped with an agitating device, and the temperature maintained constant, for approximately twenty minutes, before cooling. In order to obtain the same degree of efficiency between the two systems, it is necessary to raise the temperature to approximately 175° F. with the former and 145° F. with the latter, and hold twenty minutes. In both cases, the cooling to ripening or churning temperature should be effected as quickly as possible. The only difference noted is that pasteurized cream butter requires a somewhat lower churning temperature than raw cream butter; otherwise no other practical influence was found as affecting the amount or control of water in butter.

SWEET CREAM VS. RIPENED.

In the study of the effect of acidity in cream on the water content of butter, it was found that sweet cream requires a somewhat lower churning temperature, as the texture is somewhat heavier and will stand more working than acid cream butter.

SALTED VS. UNSALTED BUTTER.

In the samples of butter received in the Michigan scoring contests, the unsalted butter showed a uniformly higher water content than salted butter; this was found to be due to the tendency of salt to expel the water and also because unsalted butter has a closer grain and will take up water much more readily if worked in the presence of water.

THIN VS. HEAVY CREAM.

The per cent of fat in the cream at churning time, if varied between 25% and 35% and churned at the same temperature, the heavier cream will have a tendency to carry more water into the butter than the thin cream, due to the heavy cream butter matting and holding the water, so that it is more available during the working process. In the case of the thinner cream, the butter gathers in round shot-like granules, and has a tendency to release the water during the working process.

TEMPERATURES.

The question of temperatures is the main and connecting link in the chain of influences affecting the amount of water in butter, and the real fundamental principle. Information collected from sources heretofore mentioned indicate that there is little uniformity in the methods employed in controlling the water in butter, especially among the smaller creameries, and the temperatures and methods employed by a large number of butter-makers are not conducive to uniform water content or to the best texture or body.

CHURNING TEMPERATURE.

No set temperature can be given, as this is subject to many conditions, such as the season of the year, time held at churning temperature before churning, temperature of room at churning time, and the character of feed consumed by the cows, and their lactation period. The changes brought about in the composition of butter or milk fat are due to the kind and character of the feed consumed by the cows, the hardness of the butter fat in the fall and winter, and is due to the presence of an increased amount of the fats with a high melting-point (stearin, palmitin, and myristin) and the softness of the butter fat during the spring and summer, is due to the presence of the fat in greater proportion with a low melting point (olein).

The period of lactation of the cows also affects the melting point of butter fat. Fresh cows yield milk, with a larger proportion of the soft fats, during the first part of the lactation period than they do later on in the lactation period; for these and other reasons churning temperature must be so regulated as to get a uniform firmness of the butter when churning is completed the year around.

WASH WATER TEMPERATURE.

The temperature of the wash water should be as nearly the same as the temperature of the buttermilk when drawn as possible. Many creameries in their desire to obtain an abnormal amount of water in

butter, wash the butter in water from 2° to 10° F. warmer than the buttermilk and continue the washing of the butter in this water from 5 to 10 revolutions of the churn. With this method of incorporating water into butter, the amount of water will vary considerably and is not conducive to proper control.

SALTING THE BUTTER.

The methods of salting butter in vogue in most creameries is conducive to neither uniform salt or water content, due to a general practice of guessing at the amount of salt, usually due to the fact that the amount of fat in each churning is not determined before hand. Proper control of water is not possible unless the amount of fat in each churning is known so as to enable the buttermaker to adjust conditions accordingly; if it is necessary to correct the salt after the working has been partially completed usually control of water is lost.

WORKING THE BUTTER.

Working of the butter is the final step in water control and if the butter is of the proper temperature and firmness, the amount of water the butter will contain when completed is under the control of the buttermaker and may be placed anywhere between 12.5% and the limit (less than 16%.) Here again it is essential for the buttermaker to know the amount of fat in the churning in order to enable him to accurately gauge the amount of water present in the churn during the working process, as with a small churning less water should be present in the churn than in the case of a larger churning.

CONCLUSION.

In submitting this material, the writer avoided going into much detail in discussing the influences affecting the control of water in butter because of the fact that from a practical point of view, the main points and those under the control of every buttermaker may be briefly summed up in the following summary.

SUMMARY.

1. In all cases, the cream should be churned at a temperature that will assure a firm texture and body and thus having the butter in condition where it will stand the maximum amount of working without injuring the body or texture of the butter.
2. Churning should be continued until the butter has gathered to approximately the size of wheat kernels.
3. Butter should be washed at approximately the same temperature as the buttermilk. Except in winter and in a cold churning room, the water for washing should be about 2° F. warmer than the buttermilk, and in very warm weather, the wash water may be a few degrees colder, but extreme variations between the churning and wash water temperature should be avoided.
4. About the same amount of wash water should be used as there was buttermilk and the churn revolved five or six times with the butter in the wash water.

5. In draining the churn, great care should be exercised so as to have it uniform from day to day, and in proportion to the amount of butter in the churn.

6. With the butter in firm condition at the time of working, almost any desired amount of water may be incorporated in the butter up to the limit of 16%, or as low as 13% at any season of the year, and controlled within at least one per cent by a careful operator. The water may be reduced by draining the water from the churn during the working if a low per cent of water is desired. After a certain amount of working, the butter will refuse to give up any more water and at this period, water will be incorporated if present in the churn. Regardless of the amount of water desired, the butter should always be in a firm condition for working and the working continued as far as possible without overworking.

7. If cream is churned too warm, the finished product will be frequently in a leaky condition principally due to the fact that butter in that condition will not permit of as much working and the water thus not be incorporated as it should. The water should be present in butter in exceedingly minute drops or particles or the butter will leak and a shrinkage result.

8. In order to control the water in butter, the operator should keep a daily record of the water content of his butter so that changed conditions arising may at once be taken into consideration and adjusted.

List of exhibitors receiving the ten highest average ratings on their work for the year ending January 1, 1916, having made ten or more, and eight or more entries respectively:

TEN ENTRY CLASS.

		Rating.
J. L. Bosworth.....	Litchfield.....	95.81
H. C. Jochumsen.....	Bark River.....	95.18
Floyd Hendershott.....	Parma.....	94.71
J. A. Sawyer.....	Sand Lake.....	94.47
C. N. Hubbard.....	Middleville.....	94.23
Chas. Bosch.....	Hudsonville.....	94.01
H. J. Vickers.....	Cass City.....	93.99
Jesse W. Cobb.....	Lawrence.....	93.79
Frank Martin.....	Devereaux.....	93.44
G. C. Whitney.....	North Branch.....	93.35

EIGHT ENTRY CLASS.

		Rating.
R. G. Walker.....	Dowagiac.....	95.19
F. C. Palmer.....	Sparta.....	94.63
H. T. Chandler.....	Holland.....	94.59
John McDonald.....	Hemlock.....	94.45
H. F. Pickens.....	Lowell, R. 46.....	94.43
E. F. Brown.....	Remus.....	94.04
L. E. Seelye.....	Hopkins.....	93.97
Melvin Wilkins.....	Goodrich.....	93.81
Otto Klee.....	Fowler.....	93.72
Julius Dykstra.....	Zeeland.....	93.53

List of exhibitors to whom Department diplomas were issued, based on their ratings received in the several divisions given below, for the year ending January 1, 1916.

Column 1 indicates method report; 2, commercial score; 3, judgmentship; 4, accuracy of exhibitor's analysis for composition; 5, composition; 6, average.

TWELVE ENTRY CLASS.

		1.	2.	3.	4.	5.	6.
Frank Martin.....	Devereaux.....	94.16	90.66	95.04	91.58	95.74	93.44
T. J. Arens.....	Iron Mountain.....	93.42	91.08	96	89.08	94.27	92.77
Jesse W. Cobb.....	Lawrence.....	93.38	92.34	96.65	92.13	94.28	93.79
C. N. Hubbard.....	Middleville.....	94.04	92.10	96.50	94.13	94.35	94.23
Floyd Hendershott.....	Parma.....	94.57	91.76	96.80	93.75	96.67	94.71
J. A. Sawyer.....	Sand Lake.....	95.16	91.43	96.56	94.21	95	94.47

ELEVEN ENTRY CLASS.

		1.	2.	3.	4.	5.	6.
C. F. Hendrick.....	Caro.....	94.81	91.22	94.55	90.84	94.06	93.10
J. L. Bosworth.....	Litchfield.....	95.72	92.90	98.02	95.50	96.91	95.81
C. N. Whitney.....	North Branch.....	94.63	91.61	94.16	92.58	93.76	93.35
D. P. Barton.....	Saranac.....	94.63	90.88	95.72	91.18	92.32	92.94

TEN ENTRY CLASS.

		1.	2.	3.	4.	5.	6.
H. C. Jochumsen.....	Bark River.....	95.90	91.62	96.57	95.02	96.82	95.18
H. J. Vickers.....	Cass City.....	95.10	92.05	97.15	91.42	94.25	93.99
Chas. Bosch.....	Hudsonville, R. 3.....	92.5	92.92	96.45	93.6	94.6	94.01

NINE ENTRY CLASS.

		1.	2.	3.	4.	5.	6.
Otto Klee.....	Fowler.....	95.33	91.63	94.02	93.39	94.25	93.72
Melvin Wilkins.....	Goodrich.....	94.11	91.08	95.41	92.57	95.86	93.81
H. T. Chandler.....	Holland.....	93.77	92.19	95.77	95.21	96	94.59
Geo. Gormsen.....	Mayville.....	95.33	91.19	95.33	90.97	89.92	92.51
A. McCormick.....	Northport.....	94.77	91.22	95.83	93.99	94.79	94.12
E. F. Brown.....	Remus.....	92	92.16	96	91.77	96.07	94.04
F. C. Palmer.....	Sparta.....	95	91.75	97.65	93.09	95.67	94.63

EIGHT ENTRY CLASS.

		1.	2.	3.	4.	5.	6.
R. A. Langdon.....	Amble.....	94.75	91.87	96.43	89.61	92.18	92.97
R. G. Walker.....	Dowagiac.....	95.25	91.61	95.37	96.91	96.70	95.19
L. E. Seelye.....	Hopkins.....	94.5	92.12	96.65	95.13	93.97	93.97
John McDonald.....	Hemlock.....	95.5	91.15	95.53	94.45	95.65	94.45
H. F. Pickens.....	Mosely.....	95.37	91.62	97.37	93.34	94.15	94.43
Julius Dykstra.....	Zeeland.....	94.5	91.72	96.37	90.93	93.76	93.53

SIX ENTRY CLASS.

		1.	2.	3.	4.	5.	6.
L. C. Miller.....	Colon.....	92.33	92	93	91.23	91.93	92.3
C. J. Lazenby.....	Conklin.....	92.83	90.47	93.41	90.33	93.56	92.12
M. C. Nielson.....	Mulliken.....	95.17	91.29	95.12	90.73	94.9	93.44

STATE OF MICHIGAN.

Complete list of exhibitors together with their respective ratings under the several divisions, for the year ending January 1, 1916.

TWELVE ENTRY CLASS.

		1.	2.	3.	4.	5.	6.
Frank Martin.....	Devereaux.....	94.16	90.66	95.04	91.58	95.74	93.44
Best Bros.....	Iron Mountain.....	93.42	91.08	96	89.08	94.27	92.77
Jesse W. Cobb.....	Lawrence.....	93.38	92.34	96.65	92.13	94.28	93.79
C. N. Hubbard.....	Middleville.....	94.04	92.10	96.5	94.13	94.35	94.23
Floyd Hendershott.....	Parma.....	94.57	91.76	96.8	93.75	96.67	94.71
J. A. Sawyer.....	Sandlake.....	95.16	91.43	96.56	94.21	95	94.47

ELEVEN ENTRY CLASS.

C. F. Hendrick.....	Caro.....	94.81	91.22	94.55	90.84	94.06	93.10
C. C. Foster.....	Jones.....	90.45	91.18	90	89.98	94.51	91.22
J. L. Bosworth.....	Litchfield.....	95.72	92.0	98.02	95.5	96.91	95.81
G. C. Whitney.....	North Branch.....	94.63	91.61	94.16	92.58	93.76	93.35
D. P. Barton.....	Saranac.....	94.63	90.88	95.72	91.18	92.32	92.94

TEN ENTRY CLASS.

H. C. Jochumsen.....	Bark River.....	95.9	91.62	96.57	95.02	96.82	95.18
H. J. Vickers.....	Cass City.....	95.1	92.05	97.15	91.42	94.25	93.99
Ed Fakkert.....	Holland.....	92	92.35	95.95	88.08	87.65	91.20
Chas. Bosch.....	Hudsonville, R. 3.....	92.5	92.92	96.45	93.6	94.6	94.01

NINE ENTRY CLASS.

Otto Klee.....	Fowler.....	95.33	91.63	94.02	93.39	94.25	93.72
Melvin Wilkins.....	Goodrich.....	94.11	91.08	95.41	92.57	85.86	93.81
H. T. Chandler.....	Holland.....	93.77	92.19	95.77	95.21	96	94.59
Geo. Gormsen.....	Mayville.....	95.33	91.19	95.33	90.97	89.92	92.51
A. McCornick.....	Northport.....	94.77	91.22	95.83	93.99	94.79	94.12
E. F. Brown.....	Remus.....	92	92.16	96	91.77	96.07	94.04
F. C. Palmer.....	Sparta.....	95	91.75	97.65	93.09	95.67	94.63

EIGHT ENTRY CLASS.

R. A. Langdon.....	Amble.....	94.75	91.87	96.43	89.61	92.18	92.97
R. G. Walker.....	Dowagiac.....	95.25	91.61	95.37	96.91	96.7	95.19
L. E. Seelye.....	Hopkins.....	94.5	92.12	96.65	95.13	93.97	93.97
John McDonald.....	Hemlock.....	95.5	91.15	95.53	94.45	95.65	94.45
H. F. Pickens.....	Moseley.....	95.37	91.62	97.37	93.34	94.15	94.43
Henry Isler.....	Ruth.....	93.25	91.03	91.93	90	92.78	91.87
Julius Dykstra.....	Zeeland.....	94.5	91.72	96.37	90.93	93.76	93.53

SEVEN ENTRY CLASS.

John Vugtveen.....	New Era.....	92.42	91.35	94.1	91.77	89.12	91.76
		92	90.25	93.6	83.87	87.11	89.65
L. D. Cole.....	Blaine.....	93.42	91.5	92.42	79.97	88.38	89.13
		89.7	89.1	90	90	93.04	90.36

SIX ENTRY CLASS.

		1.	2.	3.	4.	5.	6.
L. C. Miller.....	Colon.....	92.33	92	93	91.23	91.93	92.3
C. J. Lazenby.....	Conklin.....	92.83	90.47	93.41	90.33	93.56	92.12
M. C. Neilson.....	Mulliken.....	95.17	91.29	95.12	90.73	94.9	93.44
F. C. Renner.....	Richville.....	93.83	90.87	92.12	88.16	88.16	90.63

FIVE ENTRY CLASS.

John Batten.....	Avoca.....	92.4	90.9	93.3	88.85	93.1	91.71
A. L. Brown.....	Alto.....	94.6	92.45	97.7	94.22	95.52	94.89
Jesse Norgaard.....	Burnips Corners.....	95.6	92.6	97	91.59	94.16	94.19
Harvey Ross.....	Brown City.....	95.8	90.45	95.95	91.08	91.35	92.72
H. J. Stickley.....	Clarksville.....	93	91.15	93.8	89.36	91.78	91.79
Arthur Finkbeiner.....	LeRoy.....	95.2	90.2	92.8	88.03	91.26	91.5
A. C. Wesergaard.....	Mt. Clemens.....	96.2	91.55	96.55	93.22	91.98	93.9

FOUR ENTRY CLASS.

H. H. Blaine.....	Allegan.....	94.5	91.31	93.66	86.32	89.1	90.98
A. Anderson.....	Caledonia.....	93	91	92.37	89.6	92.2	91.63
Henry Bierhaus.....	Detroit.....	94.75	92.72	91.62	92.5	91.82	92.81
Guy A. Bovee.....	Freeport.....	94.5	91.81	94.68	94.25	97.7	94.59
M. J. Curtis.....	Lachine.....	90	90.06	90	90	92.4	90.49
Geo. T. Yetter.....	Eau Claire.....	92.75	92.68	94.62	93.5	96.67	94.01

THREE ENTRY CLASS.

John P. Miedema.....	Allendale.....	93.66	92.33	92.83	92.86	95.26	93.46
F. G. Clark.....	Cedar Springs.....	92	91.58	90.33	91.28	97	92.44
Orville Rowley.....	Grand Blanc.....	90	90.75	90	93.2	92.66	91.32
Buss Creamery.....	Ironwood.....	95	88.33	90	86.3	90.2	89.96
R. G. Sorter.....	Manchester.....	91	88.33	90	90	92.5	90.33
A. N. Begemann.....	Midland.....	93.33	92.5	92.7	91.7	95.5	93.13
F. H. Parmeter.....	Morrice.....	93.33	90.66	92	93.1	94.7	92.76
A. J. Armstrong.....	New Baltimore.....	95	89.25	91.58	92.6	91.53	92
W. H. Helrigel.....	Nashville.....	95.33	91.75	95	96.7	93.26	92.41
E. J. Schwanbeck.....	Utica.....	95	88.66	86.5	88.8	90.8	90
Earl Tiefenthal.....	Vicksburg.....	93.33	94.07	95.61	87.26	88.7	91.75
Wellington Wagar.....	Gladwin.....	92	89.33	92.33	91.96	91.26	91.38
		88.33	91.25	92.58	90.9	92.36	91.08

TWO ENTRY CLASS.

E. C. Harrimann.....	Blissfield.....	94.5	91.12	91.75	94	93.65	93
Peter VanAllsberg.....	Coopersville.....	92.5	91	86.5	94.2	94.3	91.7
		92.5	91.37	87.5	87.26	88.24	89.37
C. D. Morgan.....	Gobleville.....	95.5	90.75	94.75	92.25	93.6	93.37
		92.5	90.25	92	90	81.6	89.27
Andrew Winters.....	Orleans.....	94	90	91.27	89.72	96	92.15
		94.5	91.75	97	76.6	81.1	88.19
Simon Hagedorn.....	Saginaw.....	96	92.25	95.25	89.05	91.1	92.73
B. L. Longfellow.....	Saline.....	90	91	90	90	91.47	90.49
E. E. Smith.....	Shultz.....	95.5	91.25	92	92.05	96.95	93.55
H. J. Shirley.....	St. Louis.....	95	90.12	95.12	92.95	95.2	93.68
R. K. Cooney.....	Vermontville.....	94.5	91.37	80.37	94	96	91.25
N. F. Engenhardt.....	Vassar.....	90	90.5	90.45	90	95.5	91.29

STATE OF MICHIGAN.

ONE ENTRY CLASS.

		1.	2.	3.	4.	5.	6.
Joseph Chevie	Almont	94	81	83.5	79.3	95.2	86.6
Andrus & Townsend	Bitely	90	90.5	90	90	93.2	90.74
		90	92.5	90	90	93.8	91.26
		92	92	88	85.9	88.2	89.22
S. R. Mills	Buchanan	90	91	90	90	91	90.4
		94	88.5	92.5	86.5	86.8	89.66
A. D. McCready	Bessemer	95	92.75	99.5	99.8	93.5	96.1
W. S. Fowle	Cedar Springs	96	89.5	94	89.3	93.2	92.4
Arthur Gingell	Climax	90	92	90	90	97.6	91.92
C. W. Pelton	Columbiaville	95	91	97	93.8	89.2	93.2
Fred Plumhoff	Montague	95	91.5	98.5	97.9	97.6	96.1
H. C. Moore	Durand	95	92	90	90	94	92.2
M. P. Loop	Detroit	94	92.5	90	90	94.8	92.36
C. L. Duell	Elsie	95	92	94	92.2	89.4	92.52
W. F. Shaw	Flint	92	93.25	94.75	91.3	93.8	92.02
H. J. Stickley	Grant	90	90	88	92.7	91.6	90.46
Ralph Snook	Greenville	93	90.5	90	85.75	91	90.05
Mitchell Dykstra	Hastings	90	91	100	91.7	99	94.34
H. J. Sass	Highland Park	95	91.5	95.5	85	95	92.4
Walter Ferrell	Hillman	95	92.75	91.75	93	93	93.10
		90	93.25	76.75	86.5	93	87.9
J. Veenstra	Hickory Corners	96	89.5	92.5	87.4	89	90.88
		93	87.5	80.5	90.4	94.2	89.12
		94	89	90	90	84	89.4
G. M. McNally	Imlay City	93	90.5	90	90	87.2	90.14
		95	88.5	93.5	79.3	88.1	86.88
Frank Bettys	Lakeview	90	90.75	90	90	91.4	90.43
H. T. Reynolds	Lennon	94	93	97	92.8	91.2	93.6
Louis Wehrle	Marshall	95	90	96	95	95	94.2
Iver Iverson	Marlette	95	90.5	89.5	95.8	89.8	92.12
Boyer & Snyder	New Lothrop	92	85	90	90	94.6	90.32
J. P. Nielson	Pigeon	96	91	97	93	97.6	94.92
		95	89.5	95.5	78.1	89.6	89.54
		95	87	91	86	86	89
Otto E. Wells	Standish	90	89.5	93.5	86.9	97.2	89.42
Roy Hoyt	Schoolcraft	93	91.5	89.5	89	95.2	91.64
Blue Line Creamery	White Cloud	90	89	90	90	99.9	91.78
C. Slabbekorn	Webberville	95	90.5	95.5	97	98.6	95.32
M. Jensen	Whittemore	95	92.75	87.25	97	95.6	93.52
A. A. Bauer	Westphalia	95	91.5	98.5	82.55	89.7	91.45
		90	89.5	90	90	94.8	90.86

List of exhibitors receiving an average of 90% or over, participating in the educational butter making tests conducted by this Department, together with their respective ratings in the several divisions for the semi-annual period ending July 1, 1916.

FIVE ENTRY CLASS.

Jesse Norgaard	Burnips Corners	92.2	99.1	95.2	96.2	94.8	95.5
Floyd Hendershott	Parma	91.46	95.45	96.6	98.13	94.83	95.32
W. H. Helrigel	Nashville	92.3	97.55	93.52	96.68	94.2	94.85
F. D. Martin	Devereaux	91.55	97.45	92.45	96.5	95.4	94.45
John McDonald	Hemlock	91	95.3	94.46	97.12	94.2	94.41
H. T. Chandler	Holland, R. 2	92.8	99.1	94.54	94	92	94.4
C. N. Hubbard	Middleville	91.55	94.85	94.58	95.68	94	94.16
T. J. Arens	Iron Mountain	91.25	97.15	91.76	95	93	93.63
M. C. Neilsen	Mulliken	91.45	95.1	88.36	95.4	92.8	92.66
C. C. Foster	Jones	91.15	95.8	90.24	93.68	91.4	92.57
Harvey Ross	Brown City	89.8	95.2	86.74	90.76	94.6	90.88

DAIRY AND FOOD COMMISSION.

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FOUR ENTRY CLASS.

		1.	2.	3.	4.	5.	6.
R. G. Walker.....	Dowagiac.....	91.31	97.75	95.5	97.15	95.25	95.38
Jesse Phillips.....	Zeeland.....	92.06	94.75	96.1	98.1	93.75	94.95
H. F. Pickens.....	Lowell, R. 46.....	92	95.25	95.65	96.3	95	94.89
H. A. Jochumsen.....	Bark River.....	92.25	98.5	92.5	93.75	95.75	94.61
C. J. Lazenby.....	Conklin.....	91.68	94.62	91.82	97.25	93	93.62
A. Anderson.....	Caledonia.....	91.37	94.75	92.77	94.75	93.75	93.48
F. C. Palmer.....	Northport.....	90.43	94.93	93.4	92.89	94.5	93.25
J. A. Sawyer.....	Amble.....	91.37	97.75	88.75	91.95	94.25	92.86
D. H. Brown.....	Freeport.....	91.12	93.5	91.4	96.1	91.75	92.72
R. A. Langdon.....	Amble & Lakeview.....	90.87	93.49	91.45	92.05	95.49	92.72
C. F. Hendrick.....	Caro.....	90.5	93.62	88.75	93.7	95	92.31
Earl Tiefenthal.....	Vicksburg.....	80.31	96.44	89.57	90.65	94	91.99
Henry Decker.....	Vriesland.....	92.06	90	85.4	94.7	91	90.67
Walter Roeder.....	Monroe.....	91.75	90	90	91.55	90	90.66
H. A. Bowman.....	Hudsonville, R. 2.....	92.56	94.25	90.15	83	92.5	90.47
Roy Hoyt.....	Schoolcraft.....	87.75	92	90.82	90.2	91.75	90.31

THREE ENTRY CLASS.

B. Schmitt.....	Holton.....	91.83	97.5	95.46	98	94.33	95.42
F. A. Smith.....	Dorr.....	92.16	98.4	91.96	91.86	94.66	93.83
Julius Dykstra.....	Hudsonville.....	91.16	95.16	94.2	90.6	95.33	93.29
L. E. Seelye.....	Hopkins.....	91.33	96	90.1	91.66	95.33	92.88
H. J. Stickley.....	Clarksville.....	90.66	90	90	94.4	90	91.01
L. D. Cole.....	Blaine.....	89.8	90	90	92.6	88.33	90.15
		90.58	89.25	85.3	87.46	94.33	89.38
		88.16	87.5	82	89	93	87.93

TWO ENTRY CLASS.

A. L. Brown.....	Alto.....	92.25	98.5	95.2	95.6	95	95.33
E. J. Chappel.....	Sand Lake.....	91.62	95.12	94.6	98	95	94.87
R. M. Riley.....	Shabbona.....	89.25	92.75	91.25	97.65	95	94.25
E. F. Brown.....	Remus.....	91.5	97.75	91.8	97	92.5	94.11
Jesse W. Cobb.....	Lawrence.....	91.87	92.87	93.7	92.9	95	93.88
F. R. Strick.....	Byron Center.....	90.75	94.75	93.15	95.1	95	93.75
John Vugteveen.....	New Era.....	90.5	97.75	94.9	89.9	95	93.49
A. McCormick.....	Northport.....	90	94.75	91.6	93.8	95	93.03
R. K. Cooney.....	Homer.....	88.25	91.75	94.9	94.6	94	92.7
H. J. Vickers.....	Cass City.....	91.5	98.5	89.35	92.7	95	92.56
H. J. David.....	Westphalia.....	91.5	98.5	86.55	92.2	94	92.55
G. C. Whitney.....	North Branch.....	90	92	93.35	93.3	92.5	92.23
J. P. Wilson.....	Pigeon.....	91	92.5	89.8	92.4	95	92.14
Abel Westra.....	Fremont.....	90.87	90	93.8	93.3	90	91.59
C. E. Renbarger.....	Niles.....	91.25	95.5	87.7	87.2	95	91.33
Melvin Wilkins.....	Goodrich.....	89.75	93.25	84.4	88.6	95	90.22
E. C. Harriman.....	Blissfield.....	90.12	92	82.6	92.9	92.5	90.02

STATE OF MICHIGAN.

ONE ENTRY CLASS.

		1.	2.	3.	4.	5.	6.
J. L. Bosworth.....	Litchfield.....	93	100.	98.8	99.8	96	97.52
C. J. Wilson.....	Hudsonville.....	93.5	98.5	94.6	99.8	92	95.68
F. E. Townsend.....	Bitely.....	90.75	95.25	99.6	95.6	93	94.84
F. G. Mergenthaler.....	Litchfield.....	93	91	93.4	99.4	97	94.76
D. F. Barton.....	Saranac.....	90	98.5	90.4	97.8	95	94.34
Geo. T. Yetter.....	Eau Claire.....	92	95.5	93.1	93.4	95	93.8
H. H. Blaine.....	Allegan.....	92.5	98.5	89.8	89.2	95	93.4
A. A. Vannette.....	Reeman.....	90	94	92.8	94.8	95	93.32
Fred Wilson.....	Ravenna.....	91	97	91.6	93.6	93	93.24
Chas. Bosch.....	Hudsonville, R. 4..	91.5	95.5	91.6	87.8	92	92.8
P. Van Allsberg.....	Coopersville.....	91	94	86.2	99.8	93	92.8
E. J. Riley.....	Sandusky.....	91	90	91	96.8	93	92.36
Louis Wehrle.....	Marshall.....	91.5	95.5	84.7	89.8	95	91.3
Henry Isler.....	Ruth.....	90	90	90	92.8	91	90.76
Arthur Finkbeiner.....	LeRoy.....	87.5	92.5	85.6	90.2	95	90.16
Elmer Mote.....	S. Rockwood.....	90.75	90	86.2	92.2	91	90.03
		92	90	87.6	90	90	89.72
		87	90	90	90.4	90	89.48
		89	86.5	87.4	76.8	95	87.4
		86	79	92.8	83.8	95	87.32
		88	76	92.8	85.4	94	87.24
		91	91	76.6	82.4	95	87.2
		86	90	77.5	82.8	94	86.06
		86.5	89.5	79.6	92.4	96	84.8
		64	90	90	74.4	90	81.64

MEETING STATE BRAND BUTTER COMMISSION.

Created by Act No. 53, P. A. 1915.

Ann Arbor, Michigan, December 15, 1915.

MINUTES.

Pursuant to a call for a meeting of the members of the State Brand Butter Commission created by Act No. 53, P. A. 1915, the said commission consisting of the following members:

James W. Helme, Adrian;
Frank H. Vandenboom, Marquette;
Herman D. Wendt, Lansing,

and constituting the said commission by virtue of their respective offices as State Dairy and Food Commissioner, President of the State Dairy-men's Association, and President of the State Buttermakers' Association, and as provided for in the above named act, met at Ann Arbor in Hill Auditorium at two o'clock in the afternoon on December 15th, 1915.

The organization of the Commission resulted as follows:

James W. Helme, President;
Frank H. Vandenboom, Vice-President;
Herman D. Wendt, Secretary.

The following rules, regulations and specifications were read, considered and adopted by unanimous consent, and in conformity with the statute heretofore mentioned directing and empowering said commission to adopt and promulgate such rules, regulations and specifications.

H. D. WENDT,
Secretary.

Section 1. *Applications.* Any person, firm or corporation desiring to use the brand or label provided for in the above named act, in the manufacture or sale of butter, shall make written application on blanks to be furnished by the Dairy and Food Department, for a license therefor to the Dairy and Food Commissioner at Lansing, which application shall describe by location and name the creamery or factory in which butter is to be manufactured, and give such other information as may be required. A license shall be granted to such person, firm or corporation to use such brand or label at the factory described in the application, if on investigation by the Dairy and Food Commissioner, his deputy or duly authorized assistants, it appears that all the provisions of Act 53, P. A. 1915, and the rules, regulations and specifications of the Commission have been complied with. Such license so granted may be revoked by the said Commissioner if any of the provisions of the above named act, or of the rules, regulations and specifications of the Commission have not been complied with. Such license so granted shall not be transferable.

Sec. 2. *Labels.* As provided in Section 4 of the above named act, the Dairy and Food Commissioner will furnish to those entitled to the use of the brand or label such labels or stamps or other means of imprinting such trade-mark or brand upon the manufactured product or the receptacles containing the same.

Sec. 3. *Samples.* Any person, firm or corporation to whom the use of the brand or trade-mark has been granted shall whenever called upon submit a sample or samples of the butter manufactured by any such person, firm or corporation for scoring, grading or examination to the Dairy and Food Department.

Sec. 4. *License.* The license referred to in the first section of these rules, regulations and specifications will be and is issued on the express condition that the person, firm or corporation to whom such license has been granted shall comply with the following:

a. *Sanitation.* Maintain proper and satisfactory sanitary conditions in the plant in which the butter is made, and proper and satisfactory sanitary surroundings.

b. *Raw Material.* That no milk or cream be received which is to be made, or is made into butter, upon which the Michigan brand or trade-mark is to be used, that will not comply with the provisions of Act No. 222 P. A., 1913, given in full in this report.

c. *Pasteurization.* That the butter shall be made from milk or cream that has been pasteurized at a temperature not less than 140° F. and shall be held at that temperature for twenty minutes, or to a temperature not less than 170° F. if not held.

d. *Grade of Butter.* That the butter shall be of the grade of "Commercial Extra (92-93) score, or higher, for not less than seventy-five per cent of the scorings on samples collected by the Dairy and Food Department, and while the butter is fresh.

"Fresh" butter being here defined as butter less than thirty days old from the date made, and providing same has been held at a temperature lower than 55° F. after being made. In no instance shall the butter score less than 91 points—100 being perfect—while "Fresh" according to the above definition.

e. *Composition.* All butter upon which the state trade-mark is to be used shall contain not less than eighty per cent fat and shall contain less than sixteen per cent water, the butter shall have a uniform salt content ranging from not less than two and one-half per cent or more than three and one-quarter per cent.

f. *Color.* The color shall be of the highest June shade, uniform and of the same shade at all seasons.

g. *Adulterants.* No preservatives (except pure common butter salt) neutralizers or adulterants shall be added to the milk or cream from which butter is made and which is to be sold under the Michigan State trade-mark.

h. *Creamery Plant Score.* The creamery or plant in which the butter is made shall receive a minimum score of 85 points—100 being perfect—embodying the following: (1) General appearance of premises, (2) Floors, (3) Drainage, (4) Refrigeration, (5) Machinery, (6) Water, (7) Raw Material.

i. *Reports.* Make a monthly report to the Dairy and Food Department on blanks to be furnished by said department, not later than the last day of the month following.

CONTENTS

MICHIGAN BUTTER

EXTRA QUALITY

STATE BRAND

PURE ~ PASTEURIZED

THIS BUTTER IS MADE FROM PURE PASTEURIZED CREAM IN A SANITARY PLANT AND COMPLIES WITH ALL THE REQUIREMENTS OF THE STATE BRAND BUTTER COMMISSION

STATE BUTTER CONTROL

ONE POUND




THE ABOVE STATE SYMBOL STANDS FOR PURITY AND EXCELLENCE
IN BUTTER ON WHICH THE SAME MAY APPEAR BY PER-
MISSION OF THE STATE DAIRY AND FOOD DEPARTMENT



*THE ABOVE IS THE COMPLETE DESIGN OF THE WRAPPER
FOR A ONE POUND BRICK OF*

STATE BRAND BUTTER

j. *Labeling.* Label and mark all receptacles containing butter upon which the state trade-mark is to be used in accordance with the special instructions that will be issued to every creamery to whom a license has been granted with such labels, stamps or other means of imprinting the trade-mark, or such other information as may be required by the Dairy and Food Department.

k. *Thermostat.* Install in connection with all pasteurizing machinery a thermostat, or recording thermometer and file all charts for inspection, or submit same if requested to the Dairy and Food Department.

l. *To Whom Shipped.* Whenever a creamery that has been granted a license to use the state trade-mark changes its market or outlet for its product it shall promptly advise the Dairy and Food Department of such change, and otherwise keep the department fully informed with regard to whom their butter is shipped or sold.

m. *Change of Butter Makers.* Whenever a change of butter-makers is contemplated at any creamery using the Michigan State Butter Brand Trade-mark, and before such change is made, the Dairy and Food Department shall first be advised. If a change is made without the consent of the Department, the right to use the brand or trade-mark shall and will at once be revoked, until such time as it takes for the new butter-maker to demonstrate that he is competent to make the grade of butter required under these rules, regulations and specifications.

INTRODUCTION.

The so-called State Brand Butter law (Act No. 53, P. A. 1915) passed by the last session of the Legislature, provides the consumer with a distinguishing mark by which he may know the difference in butter values from the standpoint of purity, healthfulness and excellence of quality.

The design appearing herewith has been adopted by the commission created by the above named act as the State Symbol for purity and excellence in butter on which the same may appear by permission of the State Dairy and Food Department.

BUTTER DEFINED.

1. *Dairy Butter.* Dairy butter is commonly known as butter made on the farm from a single herd of cows. The purity and healthfulness of farm-made butter depends upon prevailing conditions surrounding the production of this class of butter. The quality of farm-made butter varies from fine to uneatable. Only a small portion of this class of butter is marketable and cannot be generally recommended, due to its uncertain quality and purity, and while a large portion of American butter is still made on the farm, much of it finds its way to the renovating factory and is finally sold to the consumer as "renovated" or "process" butter.

2. *Renovated Butter.* Uneatable farm or dairy butter is collected by the retail merchant and sold to the renovating factories under the term

the Federal Department of Agriculture and the product is subject to a "packing stock." These factories are operated under the supervision of stamp tax of one-quarter of a cent a pound, and must be labeled, stamped or marked as "renovated" or "process" butter. In Michigan it was found that frequently the consumer was not advised of the true character of the product, and in an effort to protect the public in the matter, the last Legislature (1915 session) enacted a law requiring that all packages containing "renovated" butter, both wholesale and retail, shall be conspicuously stamped, marked or labeled with the words, "Renovated Butter."

3. *Creamery Butter.* The term "Creamery" is applied to all butter made from milk or cream from two or more dairies but generally creameries receive their milk and cream from upwards of fifty dairies. Creamery butter should properly be divided into two distinct classes, that which is made under the so-called centralized system and that which is made under the so-called local system.

(a) The centralized or city creameries receive their supply of cream from a large radius of territory and the quality of same is generally inferior to that received by the local or country creameries, due to the fact that cream is not bought according to grade or quality but a straight price is paid the producer regardless of quality, which encourages him to disregard sanitary measures in the handling and care of the product on the farm. It also encourages him to make infrequent deliveries. Add to this the conditions surrounding the handling of the product by the creamery agents, and those of transportation, and you have cream in varying degrees of staleness, fermentation, decomposition and putridity. These creameries find it necessary in order to make a salable article to neutralize or renovate the cream prior to manufacturing same into butter. The finished product is then alluringly and deceptively advertised as the finest creamery butter made. While it is true that the product is generally made from pasteurized cream, meaning that it has been heated to 145° F. for twenty minutes in most instances, and perhaps not actually injurious to health, the facts are as above stated and the reader is allowed to draw his own conclusions as to the purity and healthfulness of this grade of butter.

(b) Local creamery butter is made near the source of butterfat production, which fact enables the local creamery to receive its raw material in much better condition, usually requiring no renovating or neutralizing as is the case with cream made into butter under the centralized system. Frequently these local or country creameries are operated by the producers themselves on a co-operative basis, who realize that the success of their organization depends on the quality of the butter they manufacture, which depends on the quality of the milk or cream they receive or produce.

4. *State Brand Butter.* The purpose of the act referred to in the introductory remarks as expressed in its title is to provide for a "State Brand for Michigan butter for the purpose of insuring a higher standard of excellence and quality and to insure a more healthful product for consumption at home and abroad and to regulate the use of such mark or brand." This act, which is given in full in another part of this report,

creates a commission consisting of three members who are empowered and directed to issue rules, regulations and specifications, compliance with which entitles Michigan creameries to market their product under the state trade-mark. The commission's rules, regulations and specifications now in force (September 1, 1916) are given in full on pages 83 and 85. The principal points of interest to the consumer are, however, as follows:

(a) Creameries are granted a license by the State Dairy and Food Department to use the state trade-mark or brand in connection with the manufacture and marketing of their butter if in the event and after a careful inspection of the premises, raw materials and methods of manufacture are found satisfactory from the standpoint of purity and sanitation.

(b) Creameries must receive a minimum score of 85 points—100 being perfect—on a score card adopted by the Dairy and Food Department, embodying the following:

1. General appearance of premises.
2. Floors.
3. Drainage.
4. Refrigeration.
5. Machinery.
6. Water.
7. Raw material.
8. Employees.

(c) Creameries must maintain proper and satisfactory sanitary conditions in the plant in which the butter is made and satisfactory sanitary surroundings.

(d) The milk or cream used in the manufacture of butter permitted to carry the state label must comply with the provisions of Act No. 222, P. A. 1913.

(e) Butter must be made from milk or cream that has been effectively pasteurized (heated to 145° F. and held at that temperature for twenty minutes).

(f) The finished butter must be of the highest commercial grade, (92-93 score, or higher)—100 being perfect.

(g) Butter must be of a standard composition, containing not less than 80% milk fat, and shall contain less than 16% water, and not more than 3¼% nor less than 2½% salt.

(h) No preservatives (except pure common salt), neutralizers or adulterants can be added to the milk or cream from which the butter is made.

(i) Creameries are obliged to submit samples of their product to the Dairy and Food Department for scoring, and chemical and bacteriological examination.

STATEMENT OF MARKETING PROBLEMS.

According to reliable statistics, creameries in Michigan manufactured in 1915 approximately 50,000,000 lbs. of butter, of which amount, according to a careful survey made by the writer, only about 15% grades "Extras" (the top grade quoted on the markets). There is an average range in the market price between "Extras" and "Seconds" ("Seconds" being the lowest grade of creamery butter quoted) of five cents per pound. Butterfat going into the manufacture of "Seconds" when drawn from the cow is ordinarily of as good quality as that going into the manufacture of butter grading "Extras." Lack of proper care prior to delivery at the creamery is the cause of the difference in quality, amounting to a loss of approximately \$1,625,000 annually, figured on the basis of 15% of the butter made in our Michigan creameries grading "Extras," 40% grading "Firsts" and the balance, 45%, grading "Seconds." This loss is practically all borne by the producer, the creamery being obliged to pay for the raw material according to the selling value of the finished product on the markets. Producers of milk and cream generally are cognizant of requirements such as will enable them to furnish the creameries with such quality of milk, cream or butterfat as will enable them to manufacture butter grading the top grade ("Extras"). Then, why, as indicated, above does he continue to suffer this enormous loss? Certainly the dairy industry with the present high cost of production is not in a position to bear this heavy burden. When we stop to consider that the facts are, that a very large proportion of Michigan dairies, based on even present relatively high prices for dairy products, are actually being kept at a loss, we begin to realize the importance of giving consideration to this subject.

We find, after making a careful survey of the situation, that the real reason why the dairymen fail to respond to pleas for a better grade of raw material is because it is not accompanied by any financial inducement, and so long as creameries pay the same prices regardless of the actual quality of the product, so long are we without any right to expect any improvement. It would be inconsistent to ask that the farmer go to additional expense and inconvenience in producing and furnishing the creamery with a better grade of raw material unless he is rewarded financially for doing so. Under the co-operative system of operating creameries, the producer perhaps receives a more direct result as the quality of milk, cream or butterfat he delivers will determine the quality of the finished product which, in turn, will determine its selling value on the market and which determines the price such an organization is able to pay its members. But even grading and paying the producer accordingly would not solve the marketing problem. In substantiation of this conclusion, the reader is asked to give consideration to the following:

ALTO EXPERIMENT.

(a) At Alto, the Creamery Co. turned their plant over to one of the Department's specialists (Mr. C. V. Jones) for a period of thirty days, and a careful survey of all the conditions that might affect the quality of the butter made, and a complete record kept of the methods of manufacture. The churnings were dated and numbered, and a sample tub re-

tained from each churning for scoring for the purpose of comparison with the official scoring of the Inspector of the New York Mercantile Exchange. The scoring at the receiving end and that of the Department was done on approximately the same date. The scoring of the inspector of the New York Mercantile Exchange resulted in his placing the butter in the class of "creamery firsts" (89½ to 91 inclusive) *with one exception of which I will speak later*. The numerical scoring of the samples representing the same churnings by the Department Judges ranged from 90 to 92 inclusive. The samples that were scored 92 by the Department Judges were also scored 92 unofficially by a well-known receiver on the Philadelphia market, W. R. Brice & Co.

A glance at the above comparison reveals perhaps as accurate work as is physically possible. The "exception" has reference to a shipment consisting of twenty-one 63-lb. tubs to Armour & Co. in New York. This butter was scored by the Inspector of the New York Mercantile Exchange as "Seconds" (85). The samples representing the two churnings in this lot were scored "Extras" (92) by the Department Judges. This somewhat disturbed our equilibrium. We decided, accordingly, to submit the butter to further examination by one who is considered to be one of the best butter judges in the United States. We have reference to Mr. P. H. Kieffer, President of the firm of Gude Brothers, Kieffer Co., New York City. Mr. Kieffer's score was 91 points on this same butter. It is necessary to say in this connection that the butter was approximately a week older when scored by Mr. Kieffer than when scored by the New York Mercantile Exchange, Inspector for Armour & Co., or that of the Department's scoring, and it would perhaps be conservative to allow one point for depreciation owing to this fact, which would make the scoring of the Department Judges and that of Mr. Kieffer the same; but we are desirous of dealing only with the records as we have them before us, thus we find an actual difference between the scoring done for Armour & Co. and that of Mr. Kieffer's score of 6 points or—as expressed in grades—a difference between medium "seconds" and "extra firsts." Expressed in dollars and cents, we find, basing our figures on the market quotation on the date the butter reached its destination (11-17-15) of 3 cents a pound. With the present (12-30-15) distinction between grades, it would amount to approximately 6 cents a pound.

NASHVILLE EXPERIMENT.

(b) At Nashville, another experiment was conducted under the supervision of another of the Department's specialists (Mr. C. R. Webb) with a view to ascertaining the effect on the quality of the butter by gathering the cream in the one case once a week and the other twice a week. The scoring of the New York Mercantile Exchange Inspector on this butter resulted in placing a score of 87 ("Seconds") on the butter made from cream gathered only once a week, and the butter made from the cream gathered twice a week, he scored 92 ("Extras"). A division of this butter was made. The part that was scored by the New York Mercantile Exchange Inspector was shipped to the firm of Egbert & Case, New York City, and paid for on the basis of 27 cents for the 87-point butter and 35 cents for the 92-point butter. The other half was shipped to the firm of Frederick Lowenfels & Son, New York City, who bought the lot on the

basis of 34 cents. The only deductions in either case being the freight charges. The butter shipped to Frederick Lowenfels & Son was not scored by the Inspector of the New York Mercantile Exchange. Their comments were that they could not distinguish much difference but considered the butter that was officially scored by the New York Mercantile Exchange Inspector as "Extras" a little the poorer of the two.

In the above experiment, we should note that the creamery went to the additional expense of approximately 2 cents a pound butterfat in order to gather all of the cream twice a week and based on the scoring of the Inspector of the New York Mercantile Exchange, and the paying for this butter by the receiver on that basis of scoring, would indicate that the additional expense proved a good investment. Comparing the actual dollars and cents received, however, for half of these same churnings that was shipped to the firm of Frederick Lowenfels & Son, we find that they considered the butter scored 87 by the Inspector of the New York Mercantile Exchange better butter than that which he scored 92 and paid for the same in accordance with this judgment, namely 34 cents F. O. B. New York City, as compared with 27 cents paid for half of this same butter by the firm of Egbert & Case.

Volumes have been written in the last few years along the line of quality improvement. Creameries have been ready to adopt new and modern methods with a view to obtaining this result. Nearly every educational institution and agency have directed their activities at the point of manufacture which fact, no doubt, accounts for at least a part of our present inadequate system of marketing, especially local creamery butter. In other words, we have been content with interesting ourselves only in production and manufacturing and have made no effort to organize standardizing and marketing machinery or at least provide authoritative representation at the marketing end so that we might know when defects are reported in the quality by the receiver whether or not such defects actually exist.

But the difficulty is in the rather small units in which the local, individual and co-operative creameries operate. Individually, they are in no position to provide proper marketing machinery or departments, neither are they in a position to effectively advertise the product of their individual factories, owing to the limited volume of butter they manufacture, all of which makes it appear clearly that it is highly desirable to federate these co-operative and individual local creameries into larger units in order to enable them not only to manufacture butter of a higher and more uniform quality but also enable them to market the same under a brand or trade-mark.

FEDERATED CREAMERIES.

For the purpose of demonstrating the practicability of federating co-operative creameries, this Department has fathered the organization of a group of creameries in the territory tributary to Grand Rapids. The organization is composed of eighteen co-operative creameries which collectively provide a revenue of approximately \$4,000 annually, by a uniform tax of one mill for each pound of butter made at the several creameries belonging to the organization. The object of this association, as stated in its articles of incorporation is, "To establish a main or general

office with a secretary and general manager in charge and through said office or department, improve the general operating and business efficiency of its members and the finished product of their factories."

This organization has now been in actual operation for several months and is rapidly passing out of the experimental stage. There are, of course, objections to the principle of this movement but a little reflection should convince anyone of its ultimate necessity in order to make co-operation directly effective and beneficial to both producer and consumer. Practically all of the creameries belonging to the above mentioned organization are hard at work qualifying for the use of the state brand or trade-mark. One has a new creamery in course of construction. A number of them have been extensively remodeled and judging from the present rate of progress, practically all will qualify by the first of January, 1917. Machinery is now being designed and constructed to be utilized in the marketing of this butter manufactured at the several plants, collectively under the state trade-mark.

That the state brand is an incentive is evident from the fact that creameries belonging to the organization which were formerly making butter grading "Seconds" and "Firsts," are today making butter grading "Extras." Efforts to unify the product of the organization both from the standpoint of quality and uniformity, so essential in successful marketing, are meeting with success. Efficiency in operation is also being rapidly improved. The principle of this undertaking is not new. A striking example of the value of collective and co-operative marketing may be found in the success of the California Fruit Growers Exchange.

Beginning on page 93, we are submitting articles of association, constitution and by-laws of the organized group of creameries under discussion above.

STATE BRAND BUTTER.

We are confident that a state butter brand or trade-mark provides a concrete foundation on which to build for future improvement of creamery butter conditions in the state. The rules, regulations and specifications governing the brand under discussion were made effective by the State Brand Butter Commission January 1, 1916. Since that time, the following creameries have been licensed by this Department to use the brand in connection with the manufacture and marketing of their butter:

Utica Co-Operative Creamery Co., Utica.
 Alto Co-Operative-Co-Partnership Creamery Ass'n, Ltd., Alto.
 Parma Butter Co., Parma.
 Farmers Co-Operative Creamery Co., Nashville.
 Salem Creamery (Jesse Norgaard, proprietor), Burnips Corners.
 Caledonia Co-Operative-Co-Partnership Creamery Ass'n, Ltd., Caledonia.
 Farmers Co-Operative Creamery Co., Conklin.

Seventeen applications for a license to use the brand are now on file which have not yet been definitely acted upon. Indications are that creameries in the state are generally cognizant of the value of the brand and numerous creameries which have not as yet made formal application are making arrangements as fast as possible to qualify.

Under the present system of marketing creamery butter, the consumer has no means of differentiating between butter made from good, fresh, sanitary raw material, made in clean factories from that not made under such conditions. Indications are that consumers are going to demand in the near future to know more about the conditions under which butter is being made and the quality of the raw material going into its manufacture. Thus, it would seem that creameries qualifying for the use of the state brand will have a distinct advantage in the marketing of their product as it is apparent that as soon as a sufficient quantity of the state brand butter appears on the market, thus giving the consumer an opportunity to make a distinction, retailers will be obliged to carry in stock butter containing the state's trade-mark, due to a demand for same on the part of the consumer. From the standpoint of improving the raw material received at the creameries, an opportunity is presented to point out to the producer the money value of the brand to him, providing he is willing to furnish a grade of milk or cream that will be permissible in the manufacture of butter carrying the state label.

ARTICLES OF ASSOCIATION

OF THE

CO-OPERATIVE ASSOCIATION OF CREAMERIES NO. ONE.

We, the undersigned, being of full age, and desiring to become incorporated under the provisions of Act No. 171, of the Public Acts of Michigan for 1903, entitled "An Act for the incorporation of associations not for pecuniary profit," do hereby make, execute and adopt the following articles of association to-wit:

ARTICLE I.

The name or title by which said corporation is to be known in law is: The Co-Operative Association of Creameries No. One.

ARTICLE II.

The purpose or purposes for which it is formed are as follows:

To establish a main or general office with a Secretary and General Manager in charge, and through said office or department improve the general operating and business efficiency of its members, and the finished product of its factories.

ARTICLE III.

The principal office or place of business shall be at Grand Rapids, in the County of Kent.

ARTICLE IV.

The term of existence of this proposed corporation is fixed at 20 years from the date of these articles.

ARTICLE V.

The number of trustees or directors shall be Five (5).

ARTICLE VI.

The names of the trustees or directors selected for the first year of its existence are as follows:

President, Fred O. Stooke, Middleville, Mich.

Vice-President, O. M. McLaughlin, Nashville, Mich.

Directors: G. E. Watts, Alto, Mich.

D. B. Lepard, Clarksville, Mich.

J. D. Bowser, Conklin, Mich.

In Witness Whereof, We, the parties hereby associating, have hereunto subscribed our names, this twenty-first day of January, A. D. 1915.

Names.	Address.
L. E. Seelye.....	Hopkins, Mich.
R. B. Jepson.....	Mulliken, Mich.
F. E. Reuhs.....	Caledonia, Mich.
H. J. Clabuesch.....	Pigeon, Mich.
Peter Van Allesburg.....	Coopersville, Mich.

CONSTITUTION.

Whereas, the dairy industry has grown wonderfully in quantity, value, variety of products and uses, and within itself promises still greater growth.

Whereas, the industry from the raw materials to the consumer of its finished products comprises many parts and presents many difficult problems to be solved.

Whereas, in order to bring about a still greater growth, there must be a thorough understanding and co-operation between the three great interests involved in handling this industry, to-wit: The producer, manufacturer and consumer.

First: The producer must be encouraged to the largest possible production of the highest possible quality by means of the largest possible remuneration.

Second: The manufacturer must address himself to the problem of handling the production as it practically comes to him, along the lines of the greatest economy, efficiency, sanitation and purity in harmony with the State and Federal laws, along the lines of consulting the wants and needs of the consuming public involving elements of up to date methods and equipment, transportation, service and presentation of the goods to the consuming public in the most attractive shape.

Whereas, individuals engaged in this industry are powerless alone to bring the dairy industry to its highest point of perfection, and in order to do this they must have an ideal that can only be reached through organized effort: in other words, the unification of all the individual efforts that make for the greatest good to the dairy industry can only be secured through an organization of this character and as outlined in its Articles of Association.

Whereas, the quantity of goods that the consuming public will take is in direct ratio to the improvement in quality and this improvement in quality is a great factor, not only in the economic opening of outlets but in economical retention of outlets and the quantity of dairy products

consumed bears a direct relation to the increasing quality of production.

Whereas, greater uniformity and efficiency in all the details that enter into the production, manufacturing and marketing of dairy products and especially butter, is desirable.

Therefore, be it resolved, that we who are engaged in the manufacture of dairy products and compose the members of the Co-Operative Association of Creameries, Number One, have for our guide the principles and objects heretofore stated.

The officers shall consist of a President, Vice-President, Secretary-Treasurer and General Manager. The offices of Secretary-Treasurer and General Manager shall be combined in one.

The affairs of this Association shall be managed by and under the control of an executive committee of five persons to be elected by the members of the Association from among its members, and said executive committee shall have full power and authority to make all by-laws for the government of this association, not inconsistent therewith.

The President and Vice-President shall be members of the executive committee by virtue of their office.

The General Manager and Secretary-Treasurer shall be appointed by the executive committee and shall have a thorough knowledge of the production, manufacturing and marketing of dairy products and shall have a complete business training and experience.

It shall be the duty of the Secretary-Treasurer and General Manager to conduct all correspondence and to secure all information possible relative to the production, manufacturing and marketing of dairy products, and any other matter of interest to the Association, and to communicate the same to all members as required or as may be directed by the executive committee, and act in a general advisory capacity for the Association.

This constitution may be altered or amended by a two-thirds vote of the entire membership at any regular annual meeting or any special meeting called for that purpose. In the latter case, ten (ten) days' notice shall have been given to all the members previous to the time of voting thereon.

BY-LAWS.

Section 1. Dues and Assessments. The annual dues or assessments of this Association shall be not to exceed one mill for each pound of butter made at the creameries represented by the individual members of this Association, to be paid in monthly installments to the Secretary-Treasurer of the Association not later than on the 15th of the month following. The first assessment to be levied for butter made in January, 1916.

Section 2. Salaries. The salary of the traveling expert of this Association shall be fixed by the executive committee, but shall not exceed twenty-five hundred dollars (\$2,500.00) per year and expenses.

Section 3. Bonds. Before entering upon his duties, the Secretary-Treasurer shall enter into bonds with this Association in the sum of not less than two thousand dollars (\$2,000.00) with securities to be ap-

proved of by the Executive Committee, conditioned for the faithful performance of his duties and for the proper accounting of all funds received and disbursed belonging to this Association.

Section 4. Meetings. The annual meeting of this Association shall be held (beginning with the year 1917) on the last Thursday in January of each year.

Section 5. Special Meetings. Special meetings of the members of this Association may be held or called at any time by the Executive Committee, by giving five (5) days' notice in writing, or in cases five or more creameries shall have any grievance, by filing a written request, with the Secretary of the Association, stating their grievance therein, it shall be the duty of the Secretary to call a special meeting of all the creameries in the association within twenty days after the filing of said request by a five days' written notice. All meetings to be held at Grand Rapids, Mich., at such place and at such time as shall be designated by the executive committee, who shall make arrangements for all accommodations.

Section 6. Terms of Office. The terms of office of the Executive Committee of this Association shall be for one year from the last Thursday in 1916, and until their successors have been duly elected and qualified.

Section 7. Term of Office of the Traveling Expert. The term of office of the traveling expert of the Association shall be according to the pleasure of the Executive Committee.

Section 8. Meetings of the Executive Committee. The Executive Committee shall meet on the third Thursday of each month with the traveling expert at the headquarters of the association.

Section 9. Auditing Accounts. All bills and accounts of this Association shall be audited and approved by the Executive Committee and be paid out by the Secretary-Treasurer.

Section 10. Special Meetings of the Executive Committee may be called by the President.

Section 11. Quorum. A majority of the members of the Executive Committee shall constitute a quorum.

Section 12. Salaries of Executive Committee. The compensation of the members of the executive committee shall be fixed at three dollars (\$3.00) per day and expense, excepting the Secretary-Treasurer, who shall receive such salary as the committee may deem necessary.

Section 13. Vacancies. Vacancies on the Executive Committee shall be filled by the remaining members of the committee.

Section 14. Members of the Executive Committee shall be members of the Board of Managers of the creamery which they represent.

Following is a copy of the resolutions passed at a meeting of the members of the Michigan Co-Operative Association of Creameries held in the Chamber of Commerce rooms in Grand Rapids:

Whereas, Our co-operative farmers' creameries individually are powerless alone to attain complete success, and in order to do this we must have an ideal that can only be reached through organized effort; in other words, the unification of all the individual efforts that make for greatest good of our industry can only be secured through an organization of this character and as outlined in our constitution, and

Whereas, The Michigan Dairy and Food Department first initiated the idea in Michigan of federating the co-operative farmers' creameries for

the purpose of collective effort in production, manufacture and marketing and through whose instrumentality this organization received its conception and birth, having for its purpose the demonstrating of the feasibility of the plan, and

Whereas, The above mentioned department has proposed to lend its services for the purpose of extending the principle of our organization state-wide, therefore be it

Resolved, That we who compose the members of the Michigan Co-Operative Association of Creameries and have gone through the experimental stages of this movement now commend the plan to all co-operative farmers' creameries in this state, and be it further

Resolved, That we extend our thanks and gratitude to the Michigan Dairy and Food Department for their untiring efforts in fostering and encouraging this movement, as we now recognize its tremendous possibilities as a means of entrenching our position in advancing the cause of stable and more remunerative dairying, and be it further

Resolved, That we accept the Department's tender to enlist as members all of the co-operative farmers' creameries in Michigan and that we extend to them our fullest co-operation.

SUMMARY.

1. Any creamery in Michigan may receive the right to use the state brand, or trade-mark in connection with the manufacture and marketing of its product, by compliance with the rules, regulations and specifications of the State Brand Butter Commission.

2. The state trade-mark gives both the producer and manufacturer an incentive to furnish a better grade of raw material or manufacture a better grade of butter in knowing that permission to use the state trade-mark is a means of providing the consumer with a distinguishing mark enabling him to differentiate state brand butter from that manufactured under conditions of which he has no knowledge.

3. Consumers buying butter containing the state brand design or trade-mark are assured of a product that is pure, made from sanitary raw material effectively pasteurized, of a standard composition and of the highest commercial grade.

4. With the state brand or trade-mark, creameries are offered an opportunity to federate for the purpose of improving the quality and uniformity of their product, and collectively advertise and market same more economically.

5. The state brand, when permitted to be used in connection with the marketing of butter, virtually fixes the grade, due to the fact that receivers of butter in the large markets will be familiar with the specifications for state brand butter. Thus, the creameries are provided with machinery for standardization and representation.

CONCLUSION.

Work in connection with Government or State brand or trade-marks for butter at the present time is all on pioneer ground, and none of the states which have recently enacted legislation providing machinery to put into operation in this country the Government or State brand or

trade-mark for butter have had such machinery in operation for a sufficient length of time to warrant making final deductions. If, however, we base our conclusions on the experience of some of the foreign countries, such as Denmark, Holland and New Zealand, and especially Denmark, and are justified in applying foreign conditions to those of our own nation, the general scheme may be declared a success from every standpoint; but, even basing our conclusions on our own rather limited experience, we feel quite safe in predicting that ultimately the state brand or trade-mark for butter, especially under present conditions of creamery butter manufacture, will be an enormous asset for the butter interests of any state. If properly guarded, the state brand should constitute a valuable form of insurance for those who turn out a high grade product.

It is plainly apparent that the butter scoring tests conducted by the Department will be greatly enhanced in value as the State Brand feature for Michigan butter is developed. It is clear that butter makers operating creameries that have been licensed by the Department to use the State Trade-mark are spurred to greater efforts in the details of creamery butter manufacture which fact alone is of considerable advantage financially to these creameries. This conclusion is made possible through the present comprehensive rating system under which these monthly butter making tests are conducted.

Indications are that creameries in the state are beginning to realize the value of the State Brand to them, judging from the number of creameries that have already been licensed by this Department to use the brand in connection with the manufacture and marketing of their product. Numerous other creameries in the state which have not as yet made formal application are arranging as fast as possible to qualify for the use of the brand.

Under the present system of marketing, the consumer has no means of differentiating between butter made from good, fresh, sanitary raw material in sanitary creameries from that not made under such conditions. Consumers are going to demand in the near future to know more about the conditions under which creamery butter is being made and the quality of the raw material used in its manufacture, and it is safe to predict that ultimately the State Brand or Trade-mark for butter will be an enormous asset to the creameries of the state. The State Brand should constitute a valuable form of insurance for those who manufacture butter complying with the State Brand requirements.

The Brand also gives creameries an opportunity to effectively advertise their product which is not possible where no specific brand is available. But even before consideration is given to the question of advertising State Brand butter, a certain amount of educational work is necessary in order to supply and satisfy the demand when once created with a high grade, uniform article. We repeat the thought expressed in former bulletins that it is imperative that uniformity as well as quality be maintained in State Brand butter and this should be the main objective in conducting educational work at the present time.

Every indication points to the fact that the near future is going to demand even greater efficiency than has been attained up to the present time in the operation of creameries. We are certain that butter makers who do not avail themselves of every opportunity that bids to increase

their efficiency in butter making and operating creameries are going to have something to regret if they have any intention of making butter-making and creamery management their life's work. This deduction can easily be made from the fact that the boys who stand at the head of their profession at the present time are those who never pass up an opportunity to compare their efforts with others in the same line of work and after all, it is only by comparison that we are able to judge the rate of our progress.

INSPECTIONS—HOW REPORTED.

Inspections of creameries, cheese factories, farm dairies and city milk supply are reported in the bulletins issued by the Department. By

INSPECTION OF

Name.	Location.	Owner or manager.	Yearly milk receipts, pounds.	Milk butter, pounds.	Sanitary surroundings.
Allegan County, Jan.					
Martin Creamery	Martin	Martin Dairy & Prod. Co.		225,000	Good...
Otsego Creamery	Otsego	Otsego Creamery Co.		63,000	Fair...
Ionia County, Jan.					
Farmers Co-operative Creamery	Saranac	C. W. Potter		208,692	Fair...
Jackson County, Jan.					
Jackson City Creamery	Jackson	Jackson Farm Prod. Co.		349,084	Good...
Mecosta County, Jan.					
Model Co-operative Creamery	Big Rapids	Stock Co.		300,000	Good...
Montcalm County, Jan.					
L. Barber Co.	Edmore	L. Barber		6,000,000	Good...
Oakland County, Jan.					
Towar's Creamery Station	Holly	Towar's Wayne Co. Cry.			Fair...
Osceola County, Jan.					
Reed City Creamery Co.	Reed City	Roy Smith		155,000	Good...
Ottawa County, Jan.					
Conklin Farm Co. Creamery	Conklin	John Bowser		189,044	Good...
Montcalm County, Feb.					
Lakeview Creamery	Lakeview	Frank Bettys		150,000	Good...
Tuscola County, Feb.					
Mayville Creamery	Mayville	Mayville Creamery Co.		180,000	Good...
Cartwright & Sons	Mayville	Ed. Cartwright			Good...
Eaton County, March.					
Mulliken Co-operative Creamery	Mulliken	R. B. Jepsen		155,000	Good...
Iron County, March.					
Crystal Falls Creamery Asso.	C. Falls	Thos. Wills		40,000	Good...
Ottawa County, March.					
Vriesland Creamery Co.	Vriesland	M. Van Zoorn		107,000	Good...

way of explanation the following pages are reprinted from a monthly bulletin. These bulletins, containing reports of inspections as shown on the pages reprinted, will be mailed to parties applying for same.

CREAMERIES.

Sample Bottles.	Condition of apparatus.										Quality of milk.	Score of butter.
	Pumps.	Heater.	Separator.	Pasteurizer.	Vats.	Stim milk. tank.	Piping.	Churn.	Engine.	Boiler.		
125	Good				Clean				Good	Good		
50	Good				Clean	None	Fair	Clean	Good	Good		
24	Good			New	Good			Good	Good	Good		90
1,000				None	Clean	None	Good	Clean	Good	Good		
200				Good	Fine			Fine		Good		90
200	Good			Good	Fine			Fine		Good		90
15												
225	Good			Good	Fine		Good	Good	Good	Good		90
200	Fair			Good	Fine				Good			90
100				New	Fine			Good	Good	Good		95
200				Good	Fine		Good	Fine		Good		91
100	Good				Fine			Good		Good		90
100	Good			Good	Good			Good				90
36					Clean				Good			93.5
200	Good		Good	Good				New		Good		91

INSPECTION OF

Name.	Location.	Owner or manager.	Yearly milk receipts, pounds.	Make cheese, pounds.	Style.
St. Clair County, July:					
Maple Grove Cheese Factory....	Marine City....	Maple Grove Cheese Factory....	725,000	71,000	Fancy.....
Pine Grove Cheese Factory.....	Marine City....	Pine Grove Cheese Co.	885,000	644,000	Fancy.....
Germania Cheese Factory.....	Marine City....	P. Haug.....	840,000	88,000	Fancy.....
Saginaw County, July:					
Chapin Cheese Co.....	Chapin.....	George Peters.....	2,000	200,000	Soft.....
Genesee County, July:					
Swarts Creek Cheese Factory...	Swarts Creek...	Clover Leaf Dairy Co..	120,000	72,000	Michigan Soft.....
Bay County, July:					
Fraser Cheese Co.....	Fraser Twp....	Co-operative Co.....	1,000,000	80,000	Michigan Soft.....
Bay County, July:					
Decaire Cheese Co.....	Fraser Twp....	J. D. Decaire.....	100,000	80,000	Michigan Soft.....
Huron County, August:					
Rice Bros. Cheese Co.....	Elkton.....	S. M. Rice.....	1,800,000	180,000	Michigan.....
Iosco County, August:					
Hale Cheese Factory.....	Hale.....	John Cary.....	500,000	50,000	Michigan Soft.....
Saginaw County, August:					
L. A. Snyder Cheese Co.....	Brant Twp....	L. A. Snyder.....	1,000,000	100,000	Michigan Soft.....

INSPECTION

Name.	Postoffice.	Patron of	Total No. of cows.	No. of cows giving milk.	Daily production of milk, pounds.	Breed.
Genesee Co., Sept.:						
Chas. W. Thornton.....	Fenton.....	Sells milk.....	5	5		Holstein..
Lapeer Co., Sept.:						
C. McDonell.....	Lapeer.....	D. Miller.....	7	7	171	Graded...
J. P. Sorenson.....	Lapeer.....	D. Miller.....	24	19	485	Graded...
Jay White.....	Lapeer.....	Lapeer Co. Creamery	21	17	410	Jersey....
Oakland Co., Sept.:						
Chas. Bartlett.....	Pontiac.....	Pontiac Creamery.....	23	17	315	Graded...
Geo. T. Hendrix.....	Royal Oak.....	Royal Oak Creamery.....	19	19	185	Graded...
Bart Smith.....	Pontiac.....	Pontiac Creamery.....	21	19	400	Graded...
Chas. Staff.....	Royal Oak.....	Sells milk.....	13	13		Graded...

CHEESE FACTORIES.

Cheesemaker.	Sanitary surroundings.	Equipment.						Quality of milk.	Starter.
		Vats.	Presses, Gang.	Curd mill.	Whey tank.	Rennet test.	Boiler.		
S. Babel.....	Good.....	1.....	Clean.....	1, none.....	Clean.....	None.....	8 H. P.	Fair.....	
A. Kaats.....	Good.....	1.....	Clean.....	1, none.....	Clean.....	None.....	6 H. P.	Fair.....	
F. Haug.....	Good.....	1.....	Good.....	1, none.....	Fair.....	None.....	6 H. P.	Good.....	
Geo. Peters.....	Poor.....	3.....	Poor.....	2, gang.....		Fair.....	12 H. P.	Good.....	
Clover Leaf Dairy.....	Good.....	1.....	Clean.....	1, gang.....		Clean.....	12 H. P.		
Fraser Cheese Co.....	Fine.....	2.....	Fine.....	2, gang.....		Good.....			
J. D. Decaire.....	Good.....	2.....	Good.....	2, gang.....		Fair.....	12 H. P.		
Lynn Rice.....	Good.....	2, good.....	2, gang.....		Good.....		15 H. P.	Good.....	
John Cary.....	Good.....	1, fine.....	1, gang.....		Good.....		8 H. P.	Good.....	
Henry Ruff.....	Good.....	1, good.....	Gang.....		Good.....		12 H. P.	Good.....	

OF DAIRIES.

Ration.	Stable.			Cows kept clean.	Water.
	Clean and Sanitary.	Ventilation.	Light.		
Oats, cottonseed meal.....	Yes.....	Natural.....	Yes.....	Yes.....	Tubular well.
Chop.....	Yes.....	Natural.....	Fair.....	Yes.....	Tubular well.
Corn and oats crushed.....	Yes.....	Natural.....	Fair.....	Yes.....	Tubular well.
		Natural.....	Good.....	Yes.....	Tubular well.
Green corn, mill feed, grass.....	Fair.....	Natural.....	Fair.....	Yes.....	Tubular well.
Corn, oats, cottonseed meal.....	Fair.....	Natural.....	Fair.....	Yes.....	Tubular well.
Grass.....	Yes.....	Natural.....	Fair.....	Yes.....	Tubular well.
Silage, crushed oats, cottonseed meal.....	Yes.....	King System.....	Yes.....	Yes.....	Tubular well.

INSPECTION OF CITY MILK SUPPLY.

Name.	Health of herd and its protection.	Cleanliness.	Construction and care of utensils.	Health of employees and manner of milking.	Handling of milk.	Total.	Sanitary surroundings.	Quality of milk.			
								Per cent. butter fat.	Lactometer.	Total solids.	Solids not fat.
Lake Linden, Jan.											
Jos. Hennecke & Sons	95	80	90	90	100	453	Good				
A. L. Racine	90	65	85	80	90	410	Medium				
Amos Turner	72	80	85	80	80	377	Poor				
Homer Beauchamp	85	85	85	90	96	435	Good				
Jno. R. Frank	100	100	90	95	100	485	Excellent				
Frank Benschel	90	85	90	90	90	445	Good				
Jackson, Feb.											
F. M. Gibbs	80	85	95	95	100	455	Good				
Menominee, Feb.											
C. I. Cook (Elmwood) Dy	100	85	90	95	100	470	Good	3.4	31	11.85	7.75
Robt. Haese	100	95	90	95	100	480	Excellent	3.4	32	12.08	8.68
C. I. Cook (Homestead) Dy	100	80	90	100	100	470	Good	3.4	31	11.83	7.75
Mrs. E. Strow	86	85	90	90	85	436	Good				
C. I. Cook (Pine Hill) Dy	100	90	85	100	100	475	Good	3.4	31	11.85	7.75
C. I. Cook (Riverview) Dy	88	85	90	100	100	463	Good	3.4	31	11.83	7.75
I. Stephenson	100	95	90	95	100	480	Excellent				
Mrs. H. Schumaker	88	80	90	95	95	448	Good				
Wm. Kohrt	86	75	90	95	100	446	Medium				
Fred Salewsky	88	85	90	95	85	443	Good				
C. I. Cook (Nine Mile) Dy	100	95	90	100	100	485	Excellent	3.4	31	11.83	7.75
Houghton, March.											
Legris Bros.	100	95	90	95	100	480	Excellent	4.4	33	13.53	9.13
Sam Lahti	88	75	85	85	85	418	Medium				
Aug. Arvo	90	80	85	90	85	430	Medium	3.6	31	12.07	8.47
Roy Dunstan	100	85	90	95	100	470	Good				
John Zureher	100	95	100	95	100	490	Excellent	3.6	32	12.32	8.72
Jno. Henderson	83	80	80	90	85	418	Medium	4.0	31	12.55	8.55
John Huhtelin	86	80	75	90	95	426	Medium				
Herman Lehti	88	80	85	85	90	428	Medium				
Jacob Krans	83	75	80	85	85	408	Medium	4.2	30	12.54	8.34
Jos. R. Bruneau	78	70	80	90	95	413	Medium	3.6	31	12.07	8.47
Jno. Kutschid	90	70	90	95	100	445	Medium	4.4	32	13.28	8.88
Henry Simon	86	80	85	90	85	426	Medium				
Iron Mountain, Mar.											
Alex. Anderson	83	65	90	85	100	423	Medium				
Richard Pollard	88	85	90	95	100	458	Good				
August Wikman	88	85	90	95	100	458	Good	3.8	31	12.31	8.51
Iron River, April.											
Rudolph Baumgartner	95	85	90	90	100	460	Good				
C. F. Johnson	88	70	80	85	85	408	Medium				
Jos. Verrille	95	80	75	90	95	435	Medium				
Aug. Johnson	90	75	85	90	85	415	Medium				
J. W. Byers	100	100	100	100	100	500	Excellent	3.2	32	11.84	8.64
Geo. R. Baker	100	85	75	90	95	445	Medium				
Crystal Falls, April.											
Chas. Peterson	91	75	75	90	85	416	Medium				
C. M. Rogers	95	85	90	95	100	465	Good				
Wm. Boyseor	100	85	100	95	100	470	Good				
C. E. Stearn	86	65	85	90	95	420	Medium	3.8	31	12.31	8.51
Allen Williamson	95	85	90	90	100	460	Good	3.6	31	12.07	8.47
Maude Skelton	95	90	75	90	100	450	Good	3.4	31	11.83	8.43
Plymouth, April.											
Sly Brothers	100	90	85	95	90	460	Good				
W. A. Eckles	100	90	85	95	100	470	Good				

CREAMERIES AND CHEESE FACTORIES

REGISTERED CREAMERIES, CHEESE FACTORIES, SKIMMING STATIONS, RECEIVING STATIONS, CONDENSED MILK FACTORIES AND MILK DEPOTS.

FOR THE REGISTRATION YEAR BEGINNING APRIL 1, 1916.

ALCONA COUNTY.

Name.	Owner or Manager.	Postoffice.
Spruce Valley Creamery Co.,	Frank Larson, Mgr.,	Spruce.
Mikado Cream Station.	Seidel Creamery Co.,	Bay City.

ALGER COUNTY.

Rumley Cream Station,	H. W. Crawford,	Rumley.
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ALLEGAN COUNTY.

Pullman Cream Station,	Holland Crystal Creamery,	Holland.
Kellogg Butter Factory,	Kellogg Butter Co.,	Allegan, R. 7.
Springdale Cheese Factory,	M. W. Hicks,	Hopkins.
Oakland Creamery Co.,	Jacob Vredevelde, Mgr.,	Zeeland, R. 3.
Salem Creamery,	Jesse Norgaard, Prop.,	Burnips Corners.
Pearl Creamery,	Pearl Cooperative Cry. Co.,	Pearl.
Daisy Creamery Co.,	H. H. Tien, Mgr.,	Holland, R. 8.
Overton Creamery Co.,	Glen Overton, Mgr.,	Allegan.
Shelbyville Cream Station,	Michigan Butter Co.,	Kalamazoo.
Overisel Co-operative Creamery Co.,	J. H. Koopman, Mgr.,	Holland, R. 9.
Bentheim Creamery Co.,	Albert Smoes, Jr., Mgr.,	Hamilton, R. 3.
Fillmore Center Creamery Co.,	H. J. Kleinheksel, Mgr.,	Holland, R. 5.
East Saugatuck Creamery Co.,	John Sienlink, Mgr.,	East Saugatuck.
Otsego Creamery,	Otsego Creamery Co.,	Otsego.
Hamilton Cream Station,	Phenix Cheese Co.,	Zeeland.
Martin Creamery,	Martin Dairy & Produce Co.,	Martin.
Wayland Condensed Milk Factory,	Helvetia Milk Condensing Co.,	Highland, Ill.
Pullman Cream Station,	Sanitary Milk Co.,	Grand Rapids.
Moline Cream Station,	Sanitary Milk Co.,	Grand Rapids.

ALPENA COUNTY.

Bolton Cream Station,	Seidel Creamery Co.,	Bay City.
Dafoe Cream Station,	Seidel Creamery Co.,	Bay City.

ANTRIM COUNTY.

Mancelona Cream Station,	Sanitary Milk Co.,	Grand Rapids.
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ARENAC COUNTY.

Turner Cream Station,	Seidel Creamery Co.,	Bay City.
Worth Cream Station,	Seidel Creamery Co.,	Bay City.
Twining Creamery,	Fred L. Ferguson,	Twining.
Sterling Creamery,	D. M. Scott,	Sterling.
Omer Creamery,	David Henry, Jr.,	Omer.

BARAGA COUNTY.

Covington Cream Station,	Bridgeman-Russell Co.,	Hancock.
Skaneec Cream Station,	Bridgeman-Russell Co.,	Hancock.
Farmers Creamery Co.,	John Kempainen, Mgr.,	Pelkie.

BARRY COUNTY.

Nashville Cream Station,	C. A. Roscoe,	Nashville.
Freeport Creamery,	Farmers Cooperative Cry. Co.,	Freeport.
Hickory Corners Creamery,	Jacob Veenstra, Prop.,	Hickory Corners.
Farmers Co-operative Creamery Ass'n,	O. M. McLaughlin, Mgr.,	Nashville.
Hastings Crystal Creamery,	Sherk & Mackey, Props.,	Hastings.
Nashville Cream Station,	A. M. Smith & Co.,	Eaton Rapids.

STATE OF MICHIGAN.

BARRY COUNTY.—Continued.

Name.	Owner or Manager.	Postoffice.
Woodland Cream Station,	Fox River Butter Co.,	Detroit.
Nashville Cream Station,	Towar's Wayne Co. Creamery,	Detroit.
Middleville Cooperative Creamery,	Fred O. Stokce, Mgr.,	Middleville.
Nashville Cream Station,	Capitol City Creamery Co.,	Lansing.
Shultz Creamery,	Shultz Creamery Co.,	Shultz.

BAY COUNTY.

Frankenlust Cheese Factory,	John Berger, Sr., Prop.,	Bay City, Sta. A.
Duel Cream Station,	Vasold Bros. & Co.,	Midland.
Fraser Cheese Co.,	John H. Coggin, Pres.,	Pinconning, R. 1.
County Line Cheese Factory,	H. M. Schmidt Co.,	Saginaw, W. S.,
Beaver Twp. Cheese Factory,	H. M. Schmidt Co.,	Saginaw, W. S.,
Bentley Cheese Factory,	H. M. Schmidt Co.,	Saginaw, W. S.,
Frankenlust Twp. Creamery,	Martin Schwab,	Bay City, W. S.
Bay City Milk Depot,	William Cuthbert, 2494 Center Ave.,	Bay City.
J. J. McGinty Milk Depot,	J. J. McGinty, 203 S. Monroe St.,	Bay City.
Monitor Cheese Co.,	Chas. Voss, Mgr.,	Bay City, Sta. A.
Milk Depot,	Mrs. Ida M. Leix,	Bay City.
Creamery & Skimming Station (Fraser Center),	G. E. Tanner,	Pinconning.
Pinconning Creamery,	Urban Bros.,	Pinconning.
Bay City Creamery,	Seidel Creamery Co.,	Bay City.
Linwood Creamery,	Seidel Creamery Co.,	Bay City.
State Road Cream Station,	Seidel Creamery Co.,	Bay City.
John Gustafson Milk Depot,	John Gustafson, 222 Braddock St.,	Bay City.
Stevens Creamery,	Stevens Creamery Co., 909 3rd St.,	Bay City.
J. D. Decaire Cheese Factory,	J. D. Decaire,	Pinconning, F. R. D.
Bentley Cream Station,	Gladwin Butter Co.,	Gladwin.
Milk Depot, 302 S. Dean St.,	Schuman & Bellnap,	Bay City, W. S.
Milk Depot,	M. J. & P. J. Battle,	Bay City, R. 1.

BENZIE COUNTY.

Honor Cream Station,	Copemish Creamery Co.,	Copemish.
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BERRIEN COUNTY.

Baroda Cream Station,	South Bend Creamery Co.,	South Bend, Ind.
Gallen Milk Condensing Fac.,	John Jacobson, 414 State St.,	Chicago, Ill.
Dayton Creamery,	John Jacobson, 414 State St.,	Chicago, Ill.
Three Oaks Creamery,	John Jacobson, 414 State St.,	Chicago, Ill.
Benton Harbor Milk Depot,	Twin City Creamery Co.,	Benton Harbor.
Berrien Center Cream Station,	South Bend Creamery Co.,	South Bend, Ind.
Watervliet Creamery Co.,	W. M. Baldwin, Mgr.,	Watervliet.
Coloma Creamery Association,	Geo. W. Grant, Mgr.,	Coloma.
Thorburn Bros. Milk Depot,	Thorburn Bros.,	Benton Harbor.
St. Joseph Valley Creamery Co.,	Alison C. Roe, Mgr.,	Buchanan.
Bishop Creamery Co.,	Jack Bishop, Mgr.,	Buchanan.
Berrien Center Elgin Cry. Co.,	D. E. Sharpe, Mgr.,	Berrien Center.
Niles Creamery Co.,	T. C. Hance, Sec'y,	Niles.
Pipestone Jersey Creamery,	Geo. T. Yetter,	Eau Claire, R. 1.
St. Joseph Creamery,	Barlow Bros.,	St. Joseph.

BRANCH COUNTY.

Bronson Cream Station,	South Bend Creamery Co.,	South Bend, Ind.
Alganssee Cheese Factory,	L. A. Downer,	Quincy.
Union City Cream Station,	Jackson Farm Produce Co.,	Jackson.
Sherwood Cream Station,	Jackson Farm Produce Co.,	Jackson.
Bronson Cream Station,	Jackson Farm Produce Co.,	Jackson.
Sherwood Cream Station,	Fox River Butter Co.,	Detroit.
Bronson Cream Station,	Towars Wayne County Creamery,	Detroit.
Quincy Cream Station,	Towars Wayne County Creamery,	Detroit.
Coldwater Cream Station,	Towars Wayne County Creamery,	Detroit.

CALHOUN COUNTY.

Battle Creek Creamery,	Mich. Sanitarium & Benevolent Ass'n	
Milk Depot,	Cry., M. W. Wentworth, Mgr.,	Battle Creek.
F. E. Mellin Milk Depot,	Post-Raymond Dairy Co.,	Battle Creek.
Athens Cream Station,	F. E. Mellin, 15 E. Prairie Ave.,	Battle Creek.
Burlington Cream Station,	Jackson Farm Produce Co.,	Jackson.
Marengo Cream Station,	Jackson Farm Produce Co.,	Jackson.
Tekonsha Cream Station,	Jackson Farm Produce Co.,	Jackson.
Homer Cream Station,	Jackson Farm Produce Co.,	Jackson.
E. F. Campbell Creamery,	E. F. Campbell,	Homer.
Milk Depot & Creamery,	Milk Producers Co.,	Battle Creek.
Marshall Creamery Co.,	Louis Wehele, Mgr.,	Marshall.
Albion Creamery,	Maple City Dairy Co.,	Albion.
Tekonsha Creamery,	H. E. Taylor,	Tekonsha.

CASS COUNTY.

Name.	Owner or Manager.	Postoffice.
Cassopolis Creamery Co.,	Henry Edinger, Mgr.,	Cassopolis.
Dowagiac Creamery & Butter Co.,	J. S. Green, Mgr.,	Dowagiac.
Spring Valley Creamery,	Geo. P. Sunday,	Marcellus.
Volinia Cream Station,	Geo. P. Sunday,	Marcellus.
Penn Cream Station,	Bishop Creamery Co.,	Buchanan.
Mol & Closterman Milk Depot,	Mol & Closterman,	Dowagiac.
Jones Creamery,	Jones Creamery Co.,	Jones.
C. I. Peapples Milk Depot,	C. I. Peapples,	Dowagiac, R. 4.

CHARLEVOIX COUNTY.

Pine Lake Creamery Co.,	C. C. Schaub, Mgr.,	Boyne City.
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CHEBOYGAN COUNTY.

Wolverine Cream Station,	Fox River Butter Co.,	Detroit.
Carmody Creamery,	A. N. Lindman, Mgr.,	Cheboygan.

CHIPPEWA COUNTY.

E. S. Taylor Milk Depot,	E. S. Taylor,	Pickford.
Rudyard Dairying Ass'n Cry.,	Wm. DeWitt, Mgr.,	Rudyard.
Brimley Cream & Milk Depot,	Thompson & Washburn,	Brimley.
W. H. Stribling Milk Depot,	W. H. Stribling,	Sault Ste. Marie.
Rudyard Cream Station,	Bridgeman-Russell Co.,	Hancock.
Dafer Cream Station,	Bridgeman-Russell Co.,	Hancock.

CLARE COUNTY.

Clare Cream Station,	Port Huron Creamery Co.,	Port Huron.
Clare Cream Station,	Durand Creamery Co.,	Durand.
W. W. Faler Cream Station,	W. W. Faler,	Gladwin, R. 4.
Clare Cream Station,	Swift & Co.,	Alma.
Temple Cream Station,	Swift & Co.,	Alma.
Lake Cream Station,	Fox River Butter Co.,	Detroit.
Clare Cream Station,	Hanley Bros.,	Clare.
Clare Cream Station,	Halstead & Feightner,	Clare.
Clare R. F. D. Cream Station,	Halstead & Feightner,	Clare.
Clare Cream Station,	Farmers Independent Produce Co.,	Clare.
Clare R. F. D. Cream Station,	Farmers Independent Produce Co.,	Clare.
Clare R. F. D. Cream Station,	Farmers Independent Produce Co.,	Clare.
Clare R. F. D. Cream Station,	Farmers Independent Produce Co.,	Clare.
Clare R. F. D. Cream Station,	Farmers Independent Produce Co.,	Clare.
C. I. Mauer Cream Station,	C. I. Mauer,	Farwell.
John McNeill Cream Station,	John McNeill,	Farwell.
O. Cramer Cream Station,	O. Cramer,	Farwell.
Hersey Cream Station,	Gladwin Butter Co.,	Gladwin.
Clare R. F. D. Cream Station,	Halstead & Feightner,	Clare.

CLINTON COUNTY.

Westphalia Creamery,	Alfred A. Bauer,	Westphalia.
Elsie Condensed Milk Factory,	Eckenberg Co.,	Elsie.
Ovid Creamery,	Eckenberg Co.,	Elsie.
Duplain Twp. Cheese Factory,	Eckenberg Co.,	Elsie.
Greenbush Twp. Cheese Factory,	Eckenberg Co.,	Elsie.
St. Johns Creamery,	E. E. Bishop,	St. Johns.
Ovid Cream Station,	Durand Creamery Co.,	Durand.
St. Johns Cream Station,	Durand Creamery Co.,	Durand.
Bath Cream Station,	Swift & Co.,	Alma.
Elsie Cream Station,	Swift & Co.,	Alma.
Shepardsville Cream Station,	Swift & Co.,	Alma.
St. Johns Cream Station,	Swift & Co.,	Alma.
St. Johns Cream Station,	Medina County Creamery Co.,	Detroit.
DeWitt Cheese Factory,	John Coverdale,	DeWitt.

DELTA COUNTY.

Martin Henrickson Milk Depot,	Martin Henrickson,	Escanaba.
Rapid River Creamery Co.,	L. E. Scott, Sec'y and Mgr.,	Rapid River.
Shaffer Cheese Factory,	U. H. Dupie,	Shaffer.
Bark River Twp. Creamery,	Phil Labre,	Bark River.
Escanaba Milk Depot,	A. J. Valentine,	Escanaba.

DICKINSON COUNTY.

Best Bros. Creamery,	Best Bros.,	Iron Mountain.
Norway Creamery,	Norway Creamery Co.,	Norway.

STATE OF MICHIGAN.

EATON COUNTY.

Name.	Owner or Manager.	Postoffice.
Cream Station,	Ray E. Stevens,	Bellevue.
Island City Cream Station,	Hastings Crystal Creamery,	Hastings.
Sunfield Cream Station,	Hastings Crystal Creamery,	Hastings.
Eaton Rapids Creamery,	A. M. Smith & Co.,	Eaton Rapids.
Charlotte Cream Station,	A. M. Smith & Co.,	Eaton Rapids.
Olivet Cream Station,	A. M. Smith & Co.,	Eaton Rapids.
Grand Ledge Cream Station,	Fox River Butter Co.,	Detroit.
Eaton Cream Station,	Fox River Butter Co.,	Detroit.
Sunfield Cream Station,	Fox River Butter Co.,	Detroit.
Dimondale Cream Station,	Towards Wayne County Creamery,	Detroit.
Eaton Rapids Cream Station,	Towards Wayne County Creamery,	Detroit.
Olivet Cream Station,	Towards Wayne County Creamery,	Detroit.
Charlotte Cream Station,	Towards Wayne County Creamery,	Detroit.
Woodbury Cream Station,	Towards Wayne County Creamery,	Detroit.
Mulliken Co-operative Creamery Co.,	R. B. Jepson, Mgr.,	Mulliken.
Charlotte Creamery,	W. T. Leonard & Co.,	Norwood, N. Y.
Sunfield Cream Station,	Sanitary Milk Co.,	Grand Rapids.

EMMET COUNTY.

Petoskey Creamery,	E. S. Martin,	Petoskey.
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GENESEE COUNTY.

Flushing Butter Co.,	C. F. Luce & G. L. Wilber,	Flushing.
Argentine Cream Station,	Durand Creamery Co.,	Durand.
Linden Cream Station,	Durand Creamery Co.,	Durand.
Swartz Creek Cream Station,	Durand Creamery Co.,	Durand.
Freeman Dairy Co. (Creamery),	Freeman Dairy Co.,	Flint.
Davison Cream Station,	Freeman Dairy Co.,	Flint.
Mt. Morris Cream Station,	Freeman Dairy Co.,	Flint.
Otisville Cream Station,	Freeman Dairy Co.,	Flint.
Genesee Cream Station,	Freeman Dairy Co.,	Flint.
Swartz Creek Cream Station,	Freeman Dairy Co.,	Flint.
Duffield Cream Station,	Towards Wayne County Creamery,	Detroit.
W. W. Howes Milk Depot,	W. W. Howes, 1019 Ave. A.,	Flint.
Clio Condensing Plant,	Detroit Creamery Co.,	Detroit.
Grand Blanc Milk Station,	Detroit Creamery Co.,	Detroit.
Spring Brook Dairy Creamery,	Packer & Hayes, Props.,	Otisville.

GLADWIN COUNTY.

Beaverton Creamery,	Beaverton Co-operative Produce Co.,	Beaverton.
Gladwin Cream Station,	M. H. Wright,	Gladwin.
Gladwin Dairy & Produce Co.,	John E. Nash, Mgr.,	Gladwin.
Beaverton Cream Station,	Towards Wayne County Creamery,	Detroit.
Gladwin Cream Station,	Towards Wayne County Creamery,	Detroit.
Mt. Forest Cream Station,	Urban Bros.,	Pinconning.
Estey Cream Station,	Seidel Creamery Co.,	Bay City.
Gladwin Cream Station,	F. E. Burton,	Gladwin.
Gladwin Butter Co. (Creamery),	Gladwin Butter Co.,	Gladwin.
Wheatley Cream Station,	Gladwin Butter Co.,	Gladwin.
Skeels Cream Station,	Gladwin Butter Co.,	Gladwin.
Oberlin Cream Station,	Gladwin Butter Co.,	Gladwin.
Hockaday Cream Station,	Gladwin Butter Co.,	Gladwin.
Rhodes Cream Station,	Gladwin Butter Co.,	Gladwin.
Rhodes Cream Station,	Gladwin Butter Co.,	Gladwin.
Beaverton Creamery,	F. E. Shoup,	Beaverton.

GOGEBIC COUNTY.

A. C. Buss Creamery,	A. C. Buss,	Ironwood.
Bessemer Creamery Co.,	A. D. McCready, Mgr.,	Bessemer.
Ironwood Township Creamery,	Cook & Hellman,	Ironwood, R. F. D.

GRAND TRAVERSE COUNTY.

Traverse City Milk Depot,	Arthur W. Wiedoeft,	Traverse City.
Quality Cheese Factory,	McBride & Kreisler,	Buckley.
Pife Lake Cream Station,	Swift & Co.,	Alma.
Kingsley Cream Station,	Swift & Co.,	Alma.
Kingsley Cream Station,	Moore's Cash Store Co.,	Kingsley.
Traverse City Creamery,	Wm. A. McCool, Prop.,	Traverse City.
Grawn Cream Station,	The Reynolds Co.,	Grawn.
Grawn Cream Station,	Sanitary Milk Co.,	Grand Rapids.

GRATIOT COUNTY.

Name.	Owner or Manager.	Postoffice.
Brice Cream Station.	Durand Creamery Co.,	Durand.
Middleton Cream Station.	Durand Creamery Co.,	Durand.
New Haven Cream Station.	Durand Creamery Co.,	Durand.
North Star Cream Station.	Durand Creamery Co.,	Durand.
Ola Cream Station.	Durand Creamery Co.,	Durand.
Perrinton Cheese Factory.	Geo. S. Hart & Co., 35 Pearl St.,	New York.
Middleton Cheese Factory.	Geo. S. Hart & Co., 35 Pearl St.,	New York.
Alma Creamery.	Swift & Co.,	Alma.
Alma Cream Station.	Swift & Co.,	Alma.
Bannister Cream Station.	Swift & Co.,	Alma.
Breckenridge Cream Station.	Swift & Co.,	Alma.
Edgewood Cream Station.	Swift & Co.,	Alma.
Ithaca Cream Station.	Swift & Co.,	Alma.
Langport Cream Station.	Swift & Co.,	Alma.
Rathbone Cream Station.	Swift & Co.,	Alma.
Riverdale Cream Station.	Swift & Co.,	Alma.
St. Louis Cream Station.	Swift & Co.,	Alma.
Wheeler Cream Station.	Swift & Co.,	Alma.
Riverdale Cream Station.	Fox River Butter Co.,	Detroit.
St. Louis Co-operative Creamery Co.,	F. C. Pernert, Mgr.,	St. Louis.
C. E. Reist Cheese Co.,	F. L. Webster, Mgr.,	Ithaca.
Forrest Hill Cream Station.	Swift & Co.,	Alma.

HILLSDALE COUNTY.

Somerset Cheese Factory.	Central Supply Co.,	Addison.
Shady-side Cheese Factory.	E. N. Lewis.	Osseo.
Milnes Cheese Factory.	G. B. Elliott.	Jonesville.
East Moscow Cheese Factory.	G. B. Elliott.	Jonesville.
Montgomery Cheese Co.,	Loren A. Downer.	Montgomery.
Litchfield Dairy Association.	W. E. Sheldon, Mgr.,	Litchfield.
Waldron Cheese Factory.	W. E. Cockin.	Waldron.
Ransom Cheese Factory.	W. E. Cockin.	Waldron.

HOUGHTON COUNTY.

Barsotti Bros. Milk Depot.	Barsotti Bros.,	Calumet.
Portage Lake Creamery Co.,	Frank Ellola, Mgr.,	Oskar.
Hancock Creamery.	Bridgeman-Russell Co.,	Hancock.
Kenton Cream Station.	Bridgeman-Russell Co.,	Hancock.
Alston Cream Station.	Bridgeman-Russell Co.,	Hancock.
Chassell Creamery Co.,	F. Shrewsbury, Mgr.,	Chassell.
Lake Superior Produce Co.,	W. J. Daly, Mgr.,	Houghton.
Milk Depot.	Charles Salotti.	Laurium.

HURON COUNTY.

Pigeon Cream Station.	O. E. Snay.	Pigeon.
Rice Bros. Cheese Factory & Cry.,	Rice Bros.,	Elkton.
Ubyl Condensed Milk Factory.	Page Milk Co.,	Ubyl.
J. Haley Co. Cream Station.	J. Haley Co.,	Bad Axe.
Caseville Cream Station.	Port Huron Creamery Co.,	Port Huron.
Harbor Beach Cream Station.	Port Huron Creamery Co.,	Port Huron.
Helena Cream Station.	Port Huron Creamery Co.,	Port Huron.
Kinde Cream Station.	Port Huron Creamery Co.,	Port Huron.
Pinnebrog Cream Station.	Port Huron Creamery Co.,	Port Huron.
Ruth Cream Station.	Port Huron Creamery Co.,	Port Huron.
Ubyl Cream Station.	Port Huron Creamery Co.,	Port Huron.
Ruth Creamery Co.,	Theo Priemer.	Ruth.
Parisville Cream Station.	Ruth Creamery Co. (J. A. Myers),	Ruth.
Parisville Cream Station.	Ruth Creamery Co. (E. Zinger),	Ruth.
Parisville Cream Station.	Ruth Creamery Co. (Paul Wlock),	Ruth.
Elmhurst Cheese Factory.	Smith & Warner.	Elmhurst.
Kilmanagh Cheese Factory.	Warner Dairy Co.,	Farmington.
Pigeon Creamery.	Warner Dairy Co.,	Farmington.
Bad Axe Cream Station.	Freeman Dairy Co.,	Flint.
Owendale Cream Station.	Fox River Butter Co.,	Detroit.
Port Hope Cream Station.	Shedd Creamery Co. (G. Mathewson)	Detroit.
Port Hope Cream Station.	Shedd Creamery Co. (E. J. DeWitt),	Detroit.
Elkton Cream Station.	Medina County Creamery Co.,	Detroit.
Harbor Beach Cream Station.	Medina County Creamery Co.,	Detroit.
E. F. Kinch Cheese Factory.	E. F. Kinch.	Port Hope, R. F. D.
Farmers & Gleaners Coop. Cry.,	Joe Heaton, Mgr.,	Elkton.
Helena Cream Station.	Shedd Creamery Co.,	Detroit.
Sebewaing Creamery.	H. G. Grassmann.	Sebewaing.
Harbor Beach Cream Station.	Michigan Creamery Co.,	Saginaw.
Bad Axe Cream Station.	Michigan Creamery Co.,	Saginaw.
Port Austin Cream Station.	Michigan Creamery Co.,	Saginaw.
Filion Cream Station.	Wm. Newcomb, Prop.,	Saginaw.
Grindstone City Cream Station.	Ira O. Trumbull.	Grindstone City.

INGHAM COUNTY.

Name.
 Onondaga Cheese Factory,
 Lansing Condensed Milk Factory,
 Fitchburg Cream Station,
 Onondaga Cream Station,
 Lansing Cream Station,
 Mason Cream Station,
 Webberville Condensery,
 Williamston Cream Station,
 Webberville Cream Station,
 Mason Cream Station,
 Williamston Milk Station,
 Leslie Creamery,
 Capitol City Creamery Co.,
 Peter Sikkenga Milk Depot,
 N. H. Winans & Sons, Milk Depot,
 Cottage Creamery Co.,

Owner or Manager.
 M. M. Moore,
 Borden's Condensed Milk Factory,
 108 Hudson St.,
 Jackson Farm Produce Co.,
 Jackson Farm Produce Co.,
 Durand Creamery Co.,
 A. M. Smith & Co.,
 Chapin-Sacks Mfg. Co.,
 Fox River Butter Co.,
 Fox River Butter Co.,
 Towards Wayne County Creamery,
 Detroit Creamery Co.,
 F. J. Kneibehler, Prop.,
 Klepert & Barry,
 Peter Sikkenga,
 N. H. Winans & Sons,
 814 N. Cedar St.,

Postoffice.
 Onondaga.
 New York.
 Jackson.
 Jackson.
 Durand.
 Eaton Rapids.
 Webberville.
 Detroit.
 Detroit.
 Detroit.
 Detroit.
 Leslie.
 Lansing.
 Lansing.
 Lansing.
 Lansing.

IONIA COUNTY.

Condensed Milk Factory,
 Ionia Creamery,
 Clarksville Creamery,
 Farmers Cooperative Creamery,
 Muir Cream Station,
 Lyons Cream Station,
 Portland Cream Station,
 Hubbardston Cream Station,
 Muir Cream Station,
 Colling Cream Station,
 Lake Odessa Cream Station,
 Muir Cream Station,
 Lake Odessa Cream Station,
 Lake Odessa Cream Station,
 Portland Cream Station,
 Saranac Cream Station,
 Belding Creamery,
 Portland Cream Station,

Lake Odessa Milk Co.,
 Austin & Darling,
 Clarksville Coop. Creamery Co.,
 G. W. Potter, Sec'y,
 Bishop's Clinton Co. Creamery,
 Bishop's Clinton Co. Creamery,
 Bishop's Clinton Co. Creamery,
 Durand Creamery Co.,
 Durand Creamery Co.,
 Swift & Co.,
 Swift & Co.,
 Swift & Co.,
 Fox River Butter Co.,
 Towards Wayne County Creamery,
 Towards Wayne County Creamery,
 Towards Wayne County Creamery,
 Frank O'Bryon,
 L. Barber & Co.,

Lake Odessa.
 Ionia.
 Clarksville.
 Saranac.
 St. Johns.
 St. Johns.
 St. Johns.
 Durand.
 Durand.
 Alma.
 Alma.
 Alma.
 Detroit.
 Detroit.
 Detroit.
 Detroit.
 Belding.
 Edmore.

IOSCO COUNTY.

Hale Cheese Factory,
 Tawas City Creamery,
 Whittemore Creamery,
 McIvor Cream Station,

John G. Carey,
 Fahlselt & Moeller,
 Webb & Jensen,
 Twining Creamery,

Hale.
 Tawas City.
 Whittemore.
 Twining.

IRON COUNTY.

Iron River Creamery,
 Crystal Falls Creamery Ass'n,

Iron River Creamery Co.,
 R. B. Webb, Mgr.,

Iron River.
 Crystal Falls.

ISABELLA COUNTY.

Loomis Cream Station,
 Leaton Cream Station,
 Mt. Pleasant Condensed Milk Factory,
 Rosebush Cream Station,
 Broomfield Cream Station,
 Coe Cream Station,
 Mt. Pleasant Cream Station,
 Rosebush Cream Station,
 Shepherd Cream Station,
 Weidman Cream Station,
 Winn Cream Station,
 Wise Cream Station,
 Blanchard Cream Station,
 Delwin Cream Station,
 Blanchard Cream Station,
 Weidman Cream Station,
 Brinton Twp. Cream Station,
 Coldwater Twp. Cream Station,

Vasold Bros. & Co.,
 Vasold Bros. & Co.,
 Borden's Condensed Milk Co.,
 Durand Creamery Co.,
 Swift & Co.,
 Swift & Co.,
 Swift & Co.,
 Swift & Co.,
 Swift & Co.,
 Swift & Co.,
 Swift & Co.,
 Swift & Co.,
 Swift & Co.,
 Swift & Co.,
 L. Barber & Co.,
 L. Barber & Co.,
 Geo. W. Skinner,
 Robert Sisso,

Bay City.
 Bay City.
 Mt. Pleasant.
 Durand.
 Alma.
 Alma.
 Alma.
 Alma.
 Alma.
 Alma.
 Alma.
 Alma.
 Alma.
 Edmore.
 Edmore.
 Lake, R. 2.
 Lake, R. 2.

JACKSON COUNTY.

Parma Creamery,
 Jackson Condensed Milk Factory,
 Jackson Farm Produce Co. Cry.,
 Clarks Lake Cream Station,
 Horton Cream Station,
 Roots Cream Station,
 Rives Junction Cream Station,
 Rives Junction Cream Station,
 Brooklyn Creamery Co.,
 Springport Cream Station,
 Crystal Creamery Co.,
 Lakeside Elgin Butter Co.,
 Brooklyn Cream Station,
 Elmer Bros. Creamery,
 Jenkins Bros. Creamery,

Parma Butter Co.,
 Borden's Condensed Milk Co.,
 Jackson Farm Produce Co.,
 Jackson Farm Produce Co.,
 Jackson Farm Produce Co.,
 Jackson Farm Produce Co.,
 Jackson Farm Produce Co.,
 Jackson Farm Produce Co.,
 A. W. Brooks,
 A. M. Smith & Co.,
 E. S. Wilcox, Mgr.,
 J. M. Rohrer, Mgr.,
 Medina County Creamery Co.,
 Elmer Bros.,
 Jenkins Bros.

Parma.
 Jackson.
 Jackson.
 Jackson.
 Jackson.
 Jackson.
 Jackson.
 Jackson.
 Brooklyn.
 Eaton Rapids.
 Concord.
 Grass Lake.
 Detroit.
 Devereaux.
 Jackson.

DAIRY AND FOOD COMMISSION.

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KALAMAZOO COUNTY.

Name.	Owner or manager.	Postoffice.
Creamery, 221 E. Ransom St.,	Dairymen's Milk Co.,	Kalamazoo.
Island Creamery,	W. G. McCreary,	Schoolcraft.
Kalamazoo Creamery Co.,	H. W. Wicks, Mgr.,	Kalamazoo.
Creamery,	Michigan Butter Co.,	Kalamazoo.
Vicksburg Creamery,	Bishop Creamery Co.,	Buchanan.
Schoolcraft Cream Station,	Towards Wayne County Creamery,	Detroit.
Riverside Creamery,	Stafford & Whitney,	Galesburg.
Warren J. Kendall Milk Depot,	Warren J. Kendall,	Kalamazoo.
Wm. Reenders Milk Depot,	Wm. Reenders, 535 Forest Ave.,	Kalamazoo.

KALKASKA COUNTY.

Hunter Bros. Milk Depot,	Hunter Bros.,	South Boardman.
Kalkaska Cream Station,	Traverse City Creamery Co.,	Traverse City.
Sigma Cream Station,	Swift & Co.,	Alma.
Darragh Cream Station,	Sanitary Milk Co.,	Grand Rapids.
Kalkaska Cream Station,	Sanitary Milk Co.,	Grand Rapids.
Sigma Cream Station,	Sanitary Milk Co.,	Grand Rapids.

KENT COUNTY.

Alto Creamery,	Alto Coop. Creamery Ass'n, Ltd.,	Alto.
Peerless Dairy Co., 1140 Wealthy, S. E.,	G. W. Rhadans, Prop.,	Grand Rapids.
Blue Valley Creamery,	Blue Valley Creamery Co.,	Grand Rapids.
Moseley Coop. Creamery Ass'n, Ltd.,	Harley & Pickens, Mgrs.,	Lowell, R. 1.
Caledonia Coop. Creamery Ass'n, Ltd.,	A. Andersen, Mgr.,	Caledonia, R. 1.
Sparta Creamery,	Geo. S. King, Prop., 254 Sargeant St.,	Hartford, Conn.
Kent City Cheese Factory,	Alfred A. Carlson, Prop.,	Kent City.
Byron Center Creamery Co.,	Louis J. Osinga, Mgr.,	Byron Center.
Lowell Cream Station,	Boyland Creamery Co.,	Grand Rapids.
Cedar Springs Creamery,	Cedar Springs Coop. Ciry. Co.,	Cedar Springs.
Milk Depot, 916 Wealthy,	A. Vonk & Son,	Grand Rapids.
Sand Lake Creamery,	W. L. Bishop,	Sand Lake.
Milk Depot, 1209 Dunham St.,	Ada Dairy Co.,	Grand Rapids.
Milk Depot, 1145 Wealthy S. E.	Theo. Groothoff,	Grand Rapids.
Creamery	Soet & Van Mulligain,	Grand Rapids.
Grand Rapids Creamery	Sanitary Milk Co.,	Grand Rapids.
Creamery, 666 Lake Drive,	M. T. McNamara,	Grand Rapids.
Milk Depot, 1518 North St.,	J. A. Buffham, Jr.,	Grand Rapids.

LAKE COUNTY.

Chase Cream Station,	Shedd Creamery Co.,	Detroit.
Olivers Cream Station,	Shedd Creamery Co.,	Detroit.
Luther Creamery,	Clare M. Baker,	Luther.
Nirvana Cream Station,	Sanitary Milk Co.,	Grand Rapids.

LAPEER COUNTY.

Peoples Creamery,	Stacey & Whitney,	North Branch.
Lapeer County Creamery,	R. F. Frary,	Lapeer.
Almont Creamery,	F. A. Chevie, Prop.,	Almont.
King Mills Cream Station,	Port Huron Creamery Co.,	Port Huron.
North Branch Cream Station,	Port Huron Creamery Co.,	Port Huron.
Kings Mill Cream Station,	Fox River Butter Co.,	Detroit.
Dryden Cream Station,	Fox River Butter Co.,	Detroit.
Lum Cream Station,	Fox River Butter Co.,	Detroit.
North Branch Cream Station,	Towards Wayne County Creamery,	Detroit.
Dryden Cream Station,	Towards Wayne County Creamery,	Detroit.
Almont Cream Station,	Shedd Market Co.,	Detroit.
Imlay City Creamery,	T. B. Keyworth, Prop.,	Imlay City.
Imlay City Cream Station,	W. H. McCormick & Son,	Imlay City.
Columbiaville Creamery,	Columbiaville Cooperative Dairy and Produce Co.,	Columbiaville.
Clifford Creamery & Cheese Factory,	Amos L. Kinney, Prop.,	Clifford.

LEELANAU COUNTY.

Leelanau Twp. Farmers Club Cry.,	Leelanau Twp. Farmers Club,	Northport.
Cedar City Cream Station,	Sanitary Milk Co.,	Grand Rapids.

LENAWEE COUNTY.

Addison Cheese Factory,	Central Supply Co.,	Addison.
Morenci Condensed Milk Factory,	Ohio Dairy Co.,	Toledo, Ohio.
Cement City Cheese Factory,	M. L. Miller,	Cement City.
Seneca Cream Station,	Ohio Dairy Co.,	Toledo, Ohio.
Adrian Condensed Milk Factory,	Van Camp Packing Co.,	Adrian.

STATE OF MICHIGAN.

LENAWEE COUNTY.—Continued.

Name.	Owner or Manager.	Postoffice.
Cement City Cream Station,	Jackson Farm Produce Co.,	Jackson.
Cadmus Receiving Station,	Clover Leaf Dairy Co.,	Toledo, Ohio.
Onsted Cream Station,	E. F. Campbell,	Homer.
Blissfield Creamery,	E. C. Leeler, Mgr.,	Blissfield.
Ennis Milk Station,	Towards Wayne County Creamery,	Detroit.
Munson Milk Station,	Towards Wayne County Creamery,	Detroit.
Sand Creek Milk Station,	Towards Wayne County Creamery,	Detroit.
Macon Creamery Co.,	G. A. Mills, Mgr.,	Macon.
Adrian Creamery, J. C. Larsen, Mgr.,	National Dairy,	W. Toledo, Ohio.
Pentecost Cream Station,	Shedd Creamery Co.,	Detroit.
Onstead Cream Station,	Medina County Creamery Co.,	Detroit.
Whitford Twp. Cheese Factory,	A. L. Gilhouse,	Riga, R. F. D.
Onstead Cheese Factory,	L. R. Connor,	Onsted.
Morenci Cream Station,	Ohio Dairy Co.,	Toledo, Ohio.
Ennis Cream Station,	Ohio Dairy Co.,	Toledo, Ohio.
Hudson Condensed Milk Factory,	Helvetia Milk Condensing Co.,	Highland, Ill.

LIVINGSTON COUNTY.

Cohoctah Cream Station,	Flushing Butter Co.,	Flushing.
Howell Condensed Milk Factory,	Borden's Condensed Milk Factory,	Howell.
Cohoctah Cream Station,	Durand Creamery Co.,	Durand.
Hamburg Cream Station,	Durand Creamery Co.,	Durand.
Howell Cream Station,	Durand Creamery Co.,	Durand.
Lyndon Cheese Co.,	Samuel Boyce, Mgr.,	Stockbridge.
Fowlerville Cream Station,	Fox River Butter Co.,	Detroit.
Gregory Cream Station,	Fox River Butter Co.,	Detroit.
Pinckney Cream Station,	Fox River Butter Co.,	Detroit.
Rushton Cream Station,	Fox River Butter Co.,	Detroit.
Fowlerville Cream Station,	Towards Wayne County Creamery,	Detroit.
Fowlerville Milk Station,	Towards Wayne County Creamery,	Detroit.
Brighton Condensing Plant,	Detroit Creamery Co.,	Detroit.
Pinckney Milk Station,	Detroit Creamery Co.,	Detroit.

LUCE COUNTY.

McMillan Cream Station,	Bridgemann-Russell Co.,	Hancock.
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MACKINAC COUNTY.

Engadine Butter Factory,	W. J. Rapin, Mgr.,	Engadine.
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MACOMB COUNTY.

Romeo Elgin Creamery,	L. B. Crawford, Mgr.,	Romeo.
Richmond Cream Station,	Port Huron Creamery Co.,	Port Huron.
Utica Cooperative Creamery Ass'n,	E. J. Schwanbeck,	Utica.
Macomb Skimming Station,	Utica Coop. Creamery Ass'n,	Utica.
Disco Skimming Station,	Utica Coop. Creamery Ass'n,	Utica.
Waldenburg Skimming Station,	Utica Coop. Creamery Ass'n,	Utica.
Lenox Cream Station,	Fox River Butter Co.,	Detroit.
New Haven Cream Station,	Fox River Butter Co.,	Detroit.
Washington Cream Station,	Towards Wayne County Creamery,	Detroit.
Cady Milk Station,	Detroit Creamery Co.,	Detroit.
Mt. Clemens Milk Station,	Detroit Creamery Co.,	Detroit.
Muttonville Milk Station,	Detroit Creamery Co.,	Detroit.
New Haven Milk Station,	Detroit Creamery Co.,	Detroit.
Utica Milk Station,	Detroit Creamery Co.,	Detroit.
John F. Gatz Creamery,	John F. Gatz,	Mt. Clemens.
Chesterfield Twp. Creamery,	Chesterfield Creamery Co.,	Mt. Clemens.
Cream Station, No. 1,	Chesterfield Creamery Co.,	Mt. Clemens.
Cream Station, No. 2,	Chesterfield Creamery Co.,	Mt. Clemens.
Waldenburg Station, No. 3,	Chesterfield Creamery Co.,	Mt. Clemens.
New Baltimore Creamery,	New Baltimore Creamery Co.,	New Baltimore.

MANISTEE COUNTY.

Copemish Creamery Co.,	C. M. Conklin, Mgr.,	Copemish.
Salle Cream Station,	Copemish Creamery Co.,	Copemish.
Kaleva Cream Station,	Swift & Co.,	Alma.
Alfred Hansen Milk Depot,	Alfred Hansen, 449 River St.,	Manistee.
Dublin Cream Station,	Sanitary Milk Co.,	Grand Rapids.
Harlan Cream Station,	Sanitary Milk Co.,	Grand Rapids.

MARQUETTE COUNTY.

Skandia Creamery Co.,	Robert Shaw, Mgr.,	Skandia.
Ishpeming Creamery,	A. R. Meen,	Ishpeming.

MASON COUNTY.

Name.	Owner or Manager.	Postoffice.
Wiley Creamery,	Steve J. Szostakowski,	Scottville.
Alpha Creamery,	Axel Kehlet,	Ludington.
Fountain Cream Station,	D. W. Loucks,	Fountain.
Custer Cream Station,	Shedd Creamery Co.,	Detroit.
Freesoil Cheese Factory,	Liccione & DeMattia,	Freesoil.
Fountain Cream Station,	Michigan Creamery Co.,	Saginaw.
Freesoil Cream Station,	Tobey & Co.,	Freesoil.
Fountain Cream Station,	Sanitary Milk Co.,	Grand Rapids.
Millerton Cream Station,	Sanitary Milk Co.,	Grand Rapids.

MECOSTA COUNTY.

Remus Cooperative Creamery,	Remus Cooperative Ass'n,	Remus.
Remus Cream Station,	Remus Cooperative Ass'n,	Remus.
Remus Cream Station No. 2	Remus Cooperative Ass'n,	Remus.
Mecosta Cream Station,	Remus Cooperative Ass'n,	Remus.
Altona Cream Station,	Swift & Co.,	Alma.
Barryton Cream Station,	Swift & Co.,	Alma.
Big Rapids Cream Station,	Swift & Co.,	Alma.
Mecosta Cream Station,	Swift & Co.,	Alma.
Millbrook Cream Station,	Swift & Co.,	Alma.
Remus Cream Station,	Swift & Co.,	Alma.
Rodney Cream Station,	Swift & Co.,	Alma.
Titus Cream Station,	Swift & Co.,	Alma.
Morley Cream Station,	Swift & Co.,	Alma.
Pogy Receiving Station,	Evart Creamery,	Evart.
Stanwood Cream Station,	Swift & Co.,	Alma.
Big Rapids Creamery,	Model Cooperative Cry. Ass'n,	Big Rapids.
Mecosta Cream Station,	L. Barber & Co.,	Edmore.
Rodney Cream Station,	L. Barber & Co.,	Edmore.
Barryton Cream Station,	L. Barber & Co.,	Edmore.
Morley Cream Station,	L. Barber & Co.,	Edmore.
Millbrook Cream Station,	L. W. Harrison,	Millbrook.
Millbrook Cream Station,	E. Gingrich,	Millbrook.
Big Rapids Cream Station,	Sanitary Milk Co.,	Grand Rapids.

MENOMINEE COUNTY.

Ingalls Cheese & Butter Factory,	Ira Carley,	Ingalls.
Pine Hill Farm Creamery,	C. I. Cook,	Menominee.
Stephenson Cry. & Cheese Factory,	H. E. Jahnke,	Stephenson.
I. X. L. Creamery Co.,	R. M. Rasmussen, Lessee,	Hermansville.
Wallace Creamery,	John H. Noppenberg,	Wallace.
Nadeau Bros. Creamery,	Nadeau Bros.,	Nadeau.
Carney Cream Station,	Bridgeman-Russell Co.,	Hancock.
Wilson Cheese Factory,	Adolph Trousil,	Wilson.
Arthur Elliott Cheese Factory,	Arthur Elliott,	Harris.
Spalding Cheese Factory,	N. Virch & R. Miller,	Spalding.
Whitney Creamery,	National Pole Co.,	Escanaba.
Wilson Cheese Factory,	John Boerschinger,	Wilson.
Nadeau Twp. Cheese Factory,	J. H. Hannon,	Carney.
Daggett Creamery,	T. H. Pastorski, Prop.,	Daggett.

MIDLAND COUNTY.

Midland Creamery,	Vasold Bros. & Co.,	Bay City.
Freeland Creamery,	Vasold Bros. & Co.,	Bay City.
North Bradley Cream Station,	Wm. H. & A. D. Childs,	North Bradley.
Sanford Cream Station,	Vasold Bros. & Co.,	Midland.
Posyville Cream Station,	Vasold Bros. & Co.,	Midland.
Coleman Creamery,	N. G. See,	Coleman.
Sanford Cream Station,	C. H. Keyworth,	Sanford.
Midland Cream Station,	Michigan Creamery Co.,	Saginaw.
Posyville Cream Station,	Michigan Creamery Co.,	Saginaw.
Coleman Cream Station,	Michigan Creamery Co.,	Saginaw.
Larkin Cream Station,	Michigan Creamery Co.,	Saginaw.
Lee Township Cream Station,	Vasold Bros. & Co.,	Midland.
Midland Milk Depot,	Harrison & Begeman,	Midland.
Lee Township Cream Station,	Kinzy Hunt,	Midland, R. 5.

MISSAUKEE COUNTY.

Missaukee Milk Depot,	Forquer Bros.,	Missaukee.
Merritt Cream Station,	Jay T. Hoard,	Merritt.
Falmouth Cream Station,	Durand Creamery Co.,	Durand.
McBain Cream Station,	Durand Creamery Co.,	Durand.
Vogel Center Cream Station,	Durand Creamery Co.,	Durand.
Lake City Creamery Co.,	F. S. Jankoski,	Lake City.
McBain Cream Station,	Swift & Co.,	Alma.
Moddersville Cream Station,	Swift & Co.,	Alma.
Prosper Cream Station,	Swift & Co.,	Alma.
Lake City Cream Station,	John Seafuse,	Lake City.
Cutcheon Cream Station,	John Seafuse,	Lake City.
Missaukee Cream Station,	John Seafuse,	Lake City.

STATE OF MICHIGAN.

MONROE COUNTY.

Name.	Owner or manager.	Postoffice.
Excelsior Creamery Co.,	W. G. Hoffman,	Ida.
Strasburg Skimming Station,	Excelsior Creamery Co.,	Ida.
Monroe Butter & Cheese Factory,	Monroe Butter & Cheese Co.,	Monroe.
Stony Creek Skimming Station,	Monroe Butter & Cheese Co.,	Monroe.
LaSalle Skimming Station,	Monroe Butter & Cheese Co.,	Monroe.
Temperance Receiving Station,	Clover Leaf Dairy Co.,	Toledo, Ohio.
Scofield Cream Station,	Fox River Butter Co.,	Detroit.
Dundee Cream Station,	Towards Wayne County Creamery,	Detroit.
Milan Cream Station,	Towards Wayne County Creamery,	Detroit.
Maybee Cream Station,	Towards Wayne County Creamery,	Detroit.
Dundee Cream Station,	Towards Wayne County Creamery,	Detroit.
Maybee Cream Station,	Towards Wayne County Creamery,	Detroit.
Petersburg Creamery,	Herbert Parquette,	Petersburg.
Carleton Cream Station,	Medina County Creamery Co.,	Detroit.
Maybee Cream Station,	Medina County Creamery Co.,	Detroit.

MONTCALM COUNTY.

Vickeryville Cheese Factory,	M. C. Johnson,	Vickeryville.
Sheridan Cream Station,	Bishop's Clinton Creamery,	St. Johns.
Sidney Cheese Factory,	N. G. Lamb, Mgr.,	Sidney.
Butternut Cheese Factory,	H. J. Campbell, Prop.,	Butternut.
Carson City Cream Station,	Durand Creamery Co.,	Durand.
Crystal Cream Station,	Durand Creamery Co.,	Durand.
Sheridan Cream Station,	Durand Creamery Co.,	Durand.
Coral Cream Station,	Swift & Co.,	Alma.
Edmore Cream Station,	Swift & Co.,	Alma.
Entrican Cream Station,	Swift & Co.,	Alma.
Howard City Cream Station,	Swift & Co.,	Alma.
Ferris Cream Station,	Swift & Co.,	Alma.
Fishville Cream Station,	Swift & Co.,	Alma.
Lakeview Cream Station,	Swift & Co.,	Alma.
Pierson Cream Station,	Swift & Co.,	Alma.
Sidney Cream Station,	Swift & Co.,	Alma.
Six Lakes Cream Station,	Swift & Co.,	Alma.
Stanton Cream Station,	Swift & Co.,	Alma.
Trufant Cream Station,	Swift & Co.,	Alma.
Vestaburg Cream Station,	Swift & Co.,	Alma.
Farmers Cooperative Creamery Co.,	W. G. French, Mgr.,	Coral.
Carson City Cheese Factory,	F. H. Miner,	Carson City.
McBride Creamery,	C. H. Dopp,	McBrides.
McBrides Cream Station,	V. D. Perry,	McBrides.
Amble Creamery,	Amble Creamery Co., Inc.,	Amble.
Greenville Creamery,	Soren Peterson,	Greenville.
Stanton Cream Station,	Greenville Creamery,	Greenville.
Montcalm Cream Station,	Greenville Creamery,	Greenville.
Trufant Cream Station,	Greenville Creamery,	Greenville.
Greenville Creamery,	Montcalm Creamery Co.,	Greenville.
Lakeview Creamery,	Frank Betty,	Lakeview.
Edmore Creamery,	L. Barber & Co.,	Edmore.
Wyman Cream Station,	L. Barber & Co.,	Edmore.
Six Lakes Cream Station,	L. Barber & Co.,	Edmore.
Howard City Cream Station,	L. Barber & Co.,	Edmore.
Trufant Cream Station,	L. Barber & Co.,	Edmore.
Entrican Cream Station,	L. Barber & Co.,	Edmore.
Stanton Cream Station,	L. Barber & Co.,	Edmore.
Wyman Cream Station,	James Murtaugh,	Wyman.
Wyman Cream Station,	M. Hoekstra,	Wyman.

MONTMORENCY COUNTY.

Hillman Creamery,	R. J. Hunt, Mgr.,	Hillman.
Atlanta Cream Station,	Seidel Creamery Co.,	Bay City.

MUSKEGON COUNTY.

Dalson & Nielson Milk Depot,	Dalson & Nielson,	Muskegon.
Holton Creamery Co.,	Jacob Schmidt, Mgr.,	Holton.
White Lake Creamery Co.,	Edward T. Rogers, Mgr.,	Montague.
Milk Depot,	John Baars,	Muskegon, R. 3.
Ravenna Creamery,	Ravenna Inc. Butter Co.,	Ravenna.
Peerless Creamery,	Fiester & Knudsen,	Muskegon.
Casnovia Cream Station,	Sanitary Milk Co.,	Grand Rapids.

NEWAYGO COUNTY.

Name.	Owner or Manager.	Postoffice.
Ramona Cream Station,	Holland Crystal Creamery,	Holland.
Sitka Cream Station,	Holland Crystal Creamery,	Holland.
Aetna Cream Station,	Holland Crystal Creamery,	Holland.
Brookside Cream Station,	Holland Crystal Creamery,	Holland.
Brunswick Cream Station,	Holland Crystal Creamery,	Holland.
Fremont Creamery Co.,	H. Rozema, Mgr.,	Fremont.
Newaygo Cream Station,	Swift & Co.,	Alma.
Woodville Cream Station,	Swift & Co.,	Alma.
White Cloud Creamery,	B. G. Asselin, Prop.,	White Cloud.
Beaver Valley Creamery,	F. E. Townsend, Prop.,	Bitley.
Cream Station,	A. Griswold & Son,	Fremont, R. 2.
Grant Creamery,	Grant Creamery Co.,	Grant.
Sheridan Twp. Creamery,	Reeman Cooperative Creamery Co.,	Reeman.
Bishop Creamery Co.,	John Dobbin, Mgr.,	Newaygo.
Rouge River Creamery Co.,	J. Van der Molen, Mgr.,	Grant, R. 3.
Woodville Cream Station,	Sanitary Milk Co.,	Grand Rapids.

OAKLAND COUNTY.

Willow Brook Cheese Factory,	C. G. Freeman,	Pontiac.
F. W. Yates Milk Depot,	F. W. Yates,	Rochester.
Farmington Cheese Factory,	Warner Dairy Co.,	Farmington.
Novi Cheese Factory,	Warner Dairy Co.,	Farmington.
Powers Cheese Factory,	Warner Dairy Co.,	Farmington.
John Dickie Milk Depot,	John Dickie,	Farmington.
Holly Cream Station,	Towars Wayne County Creamery,	Detroit.
Davisburg Cream Station,	Towars Wayne County Creamery,	Detroit.
Clarenceville Cream Station,	Towars Wayne County Creamery,	Detroit.
New Hudson Cream Station,	Towars Wayne County Creamery,	Detroit.
South Lyon Milk Station,	Detroit Creamery Co.,	Detroit.
Wixom Milk Station,	Detroit Creamery Co.,	Detroit.
Pontiac Creamery,	Keyser-Coleman Co.,	Pontiac.
Royal Oak Creamery,	F. E. Springsteen, Prop.,	Royal Oak.

OCEANA COUNTY.

Shelby Creamery,	Shelby Dairy Co.,	Shelby.
Ferry Creamery,	Shelby Dairy Co.,	Shelby.
Rothbury Creamery Co.,	J. L. Lindsay, Mgr.,	Rothbury.
New Era Creamery Co.,	Geo. C. Myers, Mgr.,	New Era.
Claybanks Cooperative Cry. Ass'n,	J. W. Baker, Mgr.,	Montague, R. 1.
Hesperia Cream Station,	Sanitary Milk Co.,	Grand Rapids.

OGEMAW COUNTY.

West Branch Cream Station,	Herbert Hennen, Mgr.,	West Branch.
Ogemaw Cheese Co.,	W. R. Gilbert, Mgr.,	Lupton.
Prescott Cream Station,	Fox River Butter Co.,	Detroit.
Rose City Creamery,	W. A. Cook,	Rose City.
West Branch Cream Station,	The Halpin Creameries,	Vassar.
West Branch Cream Station,	Seidel Creamery Co.,	Bay City.
West Branch R. F. D. Cream Station,	Seidel Creamery Co.,	Bay City.
Prescott Cream Station,	R. N. Weishun,	Prescott.
West Branch Cream Station,	Fred Walker,	West Branch.
Edwards Twp. Cream Station,	Shedd Creamery Co.,	Detroit.
Prescott Cream Station,	Michigan Creamery Co.,	Saginaw.

ONTONAGON COUNTY.

Bruces Crossing Cream Station,	Carroll S. Brown,	Bruces Crossing.
Paynesville Cream Station,	Bridgeman-Russell Co.,	Hancock.
Bruce Crossing Cream Station,	Bridgeman-Russell Co.,	Hancock.
Mass Cream Station,	Bridgeman-Russell Co.,	Hancock.
Paynesville Cream Station,	Ishpeming Creamery Co.,	Ishpeming.
Mass Creamery,	Mass Creamery Co.,	Mass.

OSCEOLA COUNTY.

LeRoy Creamery,	W. A. Conry,	LeRoy.
Hersey Creamery Co.,	F. D. Barberree,	Hersey.
Ewart Cream Station,	J. W. Davis Co.,	Ewart.
Dighton Cream Station,	Durand Creamery Co.,	Durand.
Marion Cream Station,	Durand Creamery Co.,	Durand.
Sylvan Cream Station,	Durand Creamery Co.,	Durand.
Dighton Cream Station,	Swift & Co.,	Alma.
Marion Cream Station,	Swift & Co.,	Alma.
Park Lake Cream Station,	Swift & Co.,	Alma.

OSCEOLA COUNTY.—Continued.

Name.	Owner or Manager.	Postoffice.
Reed Lake Cream Station,	Swift & Co.,	Alma.
Tustin Cream Station,	Swift & Co.,	Alma.
Ashton Cream Station,	J. C. Halladay,	Ashton.
Orono Cream Station,	Ray M. Elchenberg,	Orono.
Ashton Cream Station,	Henry Swen,	Ashton.
Evart Cream Station,	W. E. Titus,	Evart.
Tustin Cream Station,	L. Barber & Co.,	Edmore.
Marion Cooperative Creamery,	Marion Cooperative Creamery Co.,	Marion.
Reed City Cream Station,	Michigan Creamery Co.,	Saginaw.
Hersey Cream Station,	C. W. Blanchard,	Hersey.
Evart Cheese Factory,	N. B. Horton,	Evart.
Tustin Cream Station,	Sanitary Milk Co.,	Grand Rapids.

OSCODA COUNTY.

Kneeland Creamery,	Beck & Stutesman,	Mio.
Oscoda County Creamery Co.,	F. F. Stutesma,	Fairview.

OTSEGO COUNTY.

Vanderbilt Cream Station,	Fox River Butter Co.,	Detroit.
Hallock Cream Station,	Seidel Creamery Co.,	Bay City.
Vanderbilt Cream Station,	Seidel Creamery Co.,	Bay City.

OTTAWA COUNTY.

Holland Crystal Creamery,	C. J. Lokker, Mgr.,	Holland.
Noordeloos Cream Station,	Holland Crystal Creamery,	Holland.
Allendale Creamery,	Allendale Cooperative Creamery Co.,	Hudsonville, R. 1.
Farmers Coop. Creamery Ass'n,	C. J. Lazenby, Mgr.,	Conklin.
Interurban Creamery Co.,	John Van Rhea, Mgr.,	Hudsonville, R. 2.
Vriesland Creamery Co.,	M. Van Zoren,	Vriesland, R. 4.
Milk Depot,	L. & W. Griswold,	Grand Haven.
Beaverdam Coop. Creamery Co.,	D. Bekins, Mgr.,	Zeeland, R. 2.
Crisp Creamery Co.,	A. J. Nienhuis, Mgr.,	Holland, R. 2.
Jamestown Coop. Creamery Co.,	Gerrit Yutema, Mgr.,	Hudsonville, R. 4.
Jamestown Cream Station,	Jamestown Coop. Creamery Co.,	Hudsonville, R. 4.
Zeeland Cheese Factory,	Phenix Cheese Co.,	Zeeland.
Blendon Skimming Station,	Phenix Cheese Co.,	Zeeland.
Harlem Skimming Station,	Phenix Cheese Co.,	Zeeland.
Borculo Creamery,	Borculo Creamery Co.,	Zeeland, R. 1.
Banner Creamery,	Banner Creamery Co.,	Zeeland, R. 1.
Drenthe Creamery Co.,	R. Van Haisma, Mgr.,	Zeeland, R. 4.
Bauer Creamery,	Bauer Creamery Co.,	Hudsonville, R. 1.
Milk Depot, 806 Franklin St.,	John J. Middah,	Grand Haven.
Eastmanville Cream Station,	Grand Rapids Creamery Co.,	Grand Rapids.
West Dennison Cream Station,	Grand Rapids Creamery Co.,	Grand Rapids.
West Olive Cream Station,	Sanitary Milk Co.,	Grand Rapids.

PRESQUE ISLE COUNTY.

Millersburg Cream Station,	Seidel Creamery Co.,	Bay City.
Onaway Creamery,	L. E. & H. N. Cady,	Onaway.
Milk Depot,	Thos. H. Yarch,	Rogers City.

ROSCOMMON COUNTY.

Roscommon Cream Station,	Seidel Creamery Co.,	Bay City.
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SAGINAW COUNTY.

Gera Creamery,	John A. Rogner,	Gera.
Buena Vista Cheese Co.,	Leonard Baumgartner,	Saginaw R. 4.
Oakley Cream Station,	Flushing Butter Co.,	Flushing.
Chesaning Cream Station,	Flushing Butter Co.,	Flushing.
Brant Center Cream Station,	Flushing Butter Co.,	Flushing.
Frankenmuth Cheese Factory,	Hubinger Bros.,	Frankenmuth.
New Lathrop No. 1 Cream Station,	Maple Grove Elgin Butter Factory,	New Lathrop, R. 1.
Fenmore Cream Station,	Durand Creamery Co.,	Durand.
Merrill Cream Station,	Swift & Co.,	Alma.
Union Cheese Mfg. Co.,	C. Schwarzkoop, Mgr.,	Frankenmuth, R. 2.
Frankenmuth Cheese Mfg. Co.,	L. Hubinger, Mgr.,	Frankenmuth.
Frankenmuth Cheese Factory,	Chas. G. Christens, Prop.,	Saginaw.
Blackmar Cheese Co.,	W. A. Judd, Mgr.,	Fosters, R. 1.
St. Charles Cream Station,	Medina Co. Creamery Co.,	Detroit.
Parker Dairy Co., Milk Depot,	C. H. Parker, Mgr.,	Saginaw.
Frankentrost Creamery,	Mathias Jansen, Mgr.,	Saginaw, R. 4.
Oakley Creamery,	Rundell Bros.,	Owosso.
Brant Cheese Factory,	T. A. Cook,	Brant.
Saginaw Creamery,	Saginaw Creamery Co.,	Saginaw.
Saginaw Creamery,	Michigan Creamery Co.,	Saginaw.
Marion Springs Cream Station,	Flushing Butter Co.,	Flushing.

SANILAC COUNTY.

Name.	Owner or Manager.	Postoffice.
Croswell Creamery,	Croswell Creamery Co.,	Croswell.
Croswell Cream Station,	Croswell Creamery Co.,	Croswell.
Greenleaf Creamery Co.,	A. McCallum, Mgr.,	Cass City, R. 1.
Union Creamery Co.,	Frank S. Burgess, Mgr.,	Deckerville.
Brown City Cream Station,	Port Huron Creamery Co.,	Port Huron.
Cash Cream Station,	Port Huron Creamery Co.,	Port Huron.
Carsonville Cream Station,	Port Huron Creamery Co.,	Port Huron.
Croswell Cream Station,	Port Huron Creamery Co.,	Port Huron.
Decker Cream Station,	Port Huron Creamery Co.,	Port Huron.
Deckerville Cream Station,	Port Huron Creamery Co.,	Port Huron.
Melvin Cream Station,	Port Huron Creamery Co.,	Port Huron.
Minden City Cream Station,	Port Huron Creamery Co.,	Port Huron.
Sandusky Cream Station,	Port Huron Creamery Co.,	Port Huron.
Snover Cream Station,	Port Huron Creamery Co.,	Port Huron.
Valley Center Cream Station,	Port Huron Creamery Co.,	Port Huron.
Forestville Cream Station,	Ruth Creamery Co.,	Ruth.
Port Sanilac Cream Station,	Fox River Butter Co.,	Detroit.
Croswell Cream Station,	Towards Wayne County Cry.,	Detroit.
Shabbona Creamery,	Shabbona Creamery Co.,	Shabbona.
Marlette Creamery,	Shabbona Creamery Co.,	Shabbona.
Elmer Creamery,	Shabbona Creamery Co.,	Shabbona.
Downington Cheese Factory,	Henry W. Muir,	Deckerville.
Brown City Cream Station,	Shedd Creamery Co.,	Detroit.
Forestville Cream Station,	Medina County Cry. Co.,	Detroit.
Roseburg Butter Co.,	Roseburg Butter Co.,	Yale.
Deckerville Cream Station,	Jas. M. G. Moffatt,	Deckerville.
McGregor Cream Station,	Shedd Creamery Co.,	Detroit.
McGregor Cream Station,	Shedd Creamery Co.,	Detroit.
McGregor Cream Station,	Port Huron Creamery Co.,	Port Huron.
Decker Cream Station,	Seidel Creamery Co.,	Bay City.
Greenleaf Cream Station,	Shedd Creamery Co.,	Detroit.
Marlette Cream Station,	King Bros.,	Marlette.
Peck Cream Station,	Michigan Creamery Co.,	Saginaw.
Brown City Cream Station,	Michigan Creamery Co.,	Saginaw.
Minden City Creamery,	A. C. Digby,	Minden City.
Forestville Cream Station,	Minden City Creamery,	Minden City.

SCHOOLCRAFT COUNTY.

Germfask Cream Station,	Bridgeman-Russell Co.,	Hancock.
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SHIAWASSEE COUNTY.

Henderson Cheese Factory,	Central Supply Co.,	Addison.
Carland Cheese Factory,	Carland Cheese Co.,	Carland.
Vernon Cream Station,	Flushing Butter Co.,	Flushing.
Shaftsbury Cream Station,	Flushing Butter Co.,	Flushing.
Henderson Butter Co.,	J. W. Epton,	Henderson.
Durand Creamery Co.,	J. E. Bender, Mgr.,	Durand.
Byron Cream Station,	Durand Creamery Co.,	Durand.
Corunna Cream Station,	Durand Creamery Co.,	Durand.
Easton Cream Station,	Durand Creamery Co.,	Durand.
New Lathrop Cream Station,	Durand Creamery Co.,	Durand.
Owosso Cream Station,	Durand Creamery Co.,	Durand.
Shaftsbury Cream Station,	Durand Creamery Co.,	Durand.
Vernon Cream Station,	Durand Creamery Co.,	Durand.
Morris Creamery,	Bishop Creamery Co.,	Buchanan.
Byron Cream Station,	Swift & Co.,	Alma.
Lainburg Cream Station,	Swift & Co.,	Alma.
Lennon Creamery Co.,	D. M. Reardon, Mgr.,	Lennon.
Imperial Cheese Factory,	MacLaren Imperial Cheese Co., Ltd.,	Detroit.
Owosso Condensed Milk Factory,	Detroit Creamery Co.,	Detroit.
Perry Cheese & Butter Factory,	The Halpin Creameries,	Vassar.
Owosso Cream Station,	Rundell Bros.,	Owosso.

ST. CLAIR COUNTY.

Capac Cream Station,	L. R. Gladdford,	Capac.
Pine Grove Cheese Co.,	Andrew Hahn,	Marine City, R. 3.
Locust Lawn Creamery,	L. D. Cole,	Blaine.
Germania Cheese Factory,	F. J. Haug Co.,	Marine City.
Review Cheese Factory,	August Kaatz,	Marine City.
Avoca Cream Station,	Port Huron Creamery Co.,	Port Huron.
Berville Cream Station,	Port Huron Creamery Co.,	Port Huron.
Burns Cream Station,	Port Huron Creamery Co.,	Port Huron.
Belle River Cream Station,	Port Huron Creamery Co.,	Port Huron.
Columbus Cream Station,	Port Huron Creamery Co.,	Port Huron.
Jeddo Cream Station,	Port Huron Creamery Co.,	Port Huron.
Kimball Cream Station,	Port Huron Creamery Co.,	Port Huron.
Lamba Cream Station,	Port Huron Creamery Co.,	Port Huron.
Memphis Cream Station,	Port Huron Creamery Co.,	Port Huron.

STATE OF MICHIGAN.

ST. CLAIR COUNTY.—Continued.

Name.	Owner or Manager.	Postoffice.
Smith Creek Cream Station,	Port Huron Creamery Co.,	Port Huron.
St. Clair Creamery,	Chas. H. Otter, Prop.,	St. Clair.
Hillside Skimming Station,	St. Clair Creamery Co.,	St. Clair.
Yale Cream Station,	Freeman Dairy Co.,	Flint.
Emmett Cream Station,	Towards Wayne County Creamery,	Detroit.
Emmett Cream Station,	Shedd Creamery Co.,	Detroit.
Doyle Cream Station,	Shedd Creamery Co.,	Detroit.
Yale Cream Station,	Shedd Creamery Co.,	Detroit.
Avoca Cream Station,	Shedd Creamery Co.,	Detroit.
Riley Center Cream Station,	Shedd Creamery Co.,	Detroit.
Capac Cream Station,	Medina County Creamery Co.,	Detroit.
Maple Grove Cheese Factory,	Jos. Babel, Mgr.,	Marine City, R. 3.
Avoca Cream Station,	John A. Batten,	Avoca.
Meyers Cream Station,	Chesterfield Creamery Co.,	Chesterfield.
Kochs Cream Station,	Chesterfield Creamery Co.,	Chesterfield.

ST. JOSEPH COUNTY.

Moore Park Cream Station,	South Bend Creamery Co.,	South Bend, Ind.
Constantine Cream Station,	South Bend Creamery Co.,	South Bend, Ind.
White Pigeon Cream Station,	South Bend Creamery Co.,	South Bend, Ind.
Howardsville Cream Station,	South Bend Creamery Co.,	South Bend, Ind.
Chamberlain Cream Station,	South Bend Creamery Co.,	South Bend, Ind.
Colon Creamery Co.,	D. L. Akey, Mgr.,	Colon.
White Pigeon Creamery,	Parker & Lambert,	White Pigeon.
Moore Park Cream Station,	Michigan Butter Co.,	Kalamazoo.
Burr Oak Cream Station,	Jackson Farm Produce Co.,	Jackson.
Centerville Cream Station,	Jackson Farm Produce Co.,	Jackson.
Colon Cream Station,	Jackson Farm Produce Co.,	Jackson.
Burr Oak Cream Station,	Towards Wayne County Creamery,	Detroit.
Sturgis Dairy Co. Milk Depot,	Siefert Bros.,	Sturgis.
Constantine Coop. Creamery Co.,	C. A. Brody, Mgr.,	Constantine.
Sturgis Cream Station,	Sturgis Dairy Co.,	Sturgis.

TUSCOLA COUNTY.

Mayville Butter & Cheese Co.,	J. F. Cartwright & Sons,	Mayville.
Stone Road Cheese Co.,	J. C. Keinath, Mgr.,	Millington, R. 3.
Tuscola Cheese Co.,	G. W. Dimond, Mgr.,	Tuscola.
Arbela Cheese Co.,	J. A. Picket,	Millington, R. 3.
Mayville Creamery Co.,	Geo. Gormsen, Mgr.,	Mayville.
Richville Cheese & Butter Co.,	J. L. Orther, Mgr.,	Richville.
Silverwood Creamery & Cheese Fac.,	A. L. Rice,	Silverwood.
Juniata Cream Station,	Port Huron Creamery Co.,	Port Huron.
Kingston Cream Station,	Port Huron Creamery Co.,	Port Huron.
Gagetown Cheese Factory,	Warner Dairy Co.,	Farmington.
Vassar Cream Station,	Towards Wayne County Creamery,	Detroit.
Millington Cream Station,	Towards Wayne County Creamery,	Detroit.
Kingston Cream Station,	R. J. Smith,	Kingston.
Vassar Creamery,	The Halpin Creameries,	Vassar.
Millington Cream Station,	The Halpin Creameries,	Vassar.
Sharpville Cream Station,	Seldel Creamery Co.,	Bay City.
Thumb Creamery (Caro),	Thumb Cooperative Creamery Co.,	Caro.
Caas City Creamery,	Thumb Cooperative Creamery Co.,	Caro.
Fairgrove Creamery,	Findlay Bros.,	Fairgrove.
Fairgrove Cream Station,	Michigan Creamery Co.,	Saginaw.
Kingston Creamery,	Kingston Butter Co.,	Kingston.

VAN BUREN COUNTY.

Gobleville Creamery Co.,	C. D. Morgan, Mgr.,	Gobleville.
Walker Creamery Co.,	W. T. Ferrell, Mgr.,	Bloomingtondale.
Berlamont Skimming Station,	Walker Creamery Co.,	Bloomingtondale.
Base Line Cheese Factory,	Lynn Reid,	Bloomingtondale.
G. Carroll Ross Creamery,	G. Carroll Ross,	South Haven.
Decatur Creamery,	M. S. Thomas, Mgr.,	Decatur.
Paw Paw Cream Station,	Michigan Butter Co.,	Kalamazoo.
Lawrence Cooperative Cry. Co.,	Dana Bennett, Mgr.,	Lawrence.
Bangor Creamery,	Wood & Trim,	Bangor.
Nathan F. Simpson & Son Cry.,	Nathan F. Simpson & Son,	Hartford.

WASHTENAW COUNTY.

Name.	Owner or Manager.	Postoffice.
Chelsea Cream Station,	J. S. Cummings,	Chelsea.
Dexter Cream Station,	J. S. Cummings,	Chelsea.
Chelsea Cream Station,	Towards Wayne County Creamery,	Detroit.
Dexter Cream Station,	Towards Wayne County Creamery,	Detroit.
Fosters Creamery Milk Station,	Towards Wayne County Creamery,	Detroit.
Whittaker Milk Station,	Towards Wayne County Creamery,	Detroit.
Milan Milk Station,	Detroit Creamery Co.,	Detroit.
Saline Milk Station,	Detroit Creamery Co.,	Detroit.
Stony Creek Skimming Station,	Ypsilanti Dairy Ass'n,	Ypsilanti.
Ypsilanti Creamery,	Ypsilanti Dairy Ass'n,	Ypsilanti.
Ann Arbor Creamery,	Tom Hankin,	Ann Arbor.
Milan Creamery,	Lamkin & Allen,	Milan.
Manchester Creamery Co.,	R. G. Sorter,	Manchester.
Saline Creamery,	Saline Creamery Co.,	Saline.

WAYNE COUNTY.

Louis C. Fritz Creamery,	Louis C. Fritz, 182 Arndt St.,	Detroit.
Detroit Creamery, 26 Market St.,	Fox River Butter Co.,	Detroit.
Milk Depot,	E. M. Starkweather,	Northville.
Gabel Creamery, 816 Oakland Ave.,	Philip Gabel, Mgr.,	Detroit.
Beech Milk Station,	Towards Wayne County Creamery,	Detroit.
Denton Milk Station,	Towards Wayne County Creamery,	Detroit.
Newberg Milk Station (Plymouth),	Towards Wayne County Creamery,	Detroit.
Sand Hill (Redford) Milk Station,	Towards Wayne County Creamery,	Detroit.
Detroit Milk Station,	Towards Wayne County Creamery,	Detroit.
Detroit Creamery, Cass & Gd. River,	Detroit Creamery Co.,	Detroit.
Belleville Milk Station,	Detroit Creamery Co.,	Detroit.
Canton Milk Station,	Detroit Creamery Co.,	Detroit.
Cherry Hill Milk Station,	Detroit Creamery Co.,	Detroit.
Elm Milk Station,	Detroit Creamery Co.,	Detroit.
Flat Rock Milk Station,	Detroit Creamery Co.,	Detroit.
Hand Cream Station,	Detroit Creamery Co.,	Detroit.
Holland Milk Station,	Detroit Creamery Co.,	Detroit.
Perrinsville Milk Station,	Detroit Creamery Co.,	Detroit.
Plymouth Milk Station,	Detroit Creamery Co.,	Detroit.
Preston Milk Station,	Detroit Creamery Co.,	Detroit.
Stark Milk Station,	Detroit Creamery Co.,	Detroit.
Clarenceville Milk Depot,	Elmer Dohany,	Farmington.
Detroit Creamery,	Shedd Creamery Co.,	Detroit.
Medina Creamery,	Medina County Creamery Co.,	Detroit.
Flat Rock Cream Station,	Medina County Creamery Co.,	Detroit.
Highland Park Creamery Co.,	Geo. D. Brown, Mgr.,	Highland Park.
Frank R. Smith, Creamery,	Geo. D. Brown, 63 Melrose Ave.,	Detroit.
Mill Road Milk House,	John Schlaff, 267 Tillman Ave.,	Detroit.
Belle Branch Milk Station,	John Schlaff, 277 Tillman Ave.,	Detroit.
Dearborn Milk Station,	John Schlaff, 277 Tillman Ave.,	Detroit.
Inkster Milk Station,	John Schlaff, 277 Tillman Ave.,	Detroit.
Wallaceville Milk Station,	John Schlaff, 277 Tillman Ave.,	Detroit.
Cream Depot, 507 Grand River Ave.,	Artic Ice Cream Co.,	Detroit.
Evergreen Cream Station (Redford),	Artic Ice Cream Co.,	Detroit.
Ideal Creamery,	Ideal Creamery Co., 396 Antietam,	Detroit.
Cherry Hill Skimming Station,	Ypsilanti Dairy Ass'n,	Ypsilanti.
Wyandotte Creamery,	Lyman Johnson,	Wyandotte.
Fred C. Koch Creamery,	Fred C. Koch,	Wyandotte.

WEXFORD COUNTY.

Cadillac Ice Cream Co. Station,	H. H. Geer,	Cadillac.
Buckley Cream Station,	Swift & Co.,	Alma.
Boon Cream Station,	Swift & Co.,	Alma.
Cadillac Cream Station,	Swift & Co.,	Alma.
Mesick Creamery,	Smith & Bassett,	Mesick.
Wexford Cream Station,	Swift & Co.,	Alma.
Buckley Cream Station,	Sanitary Milk Co.,	Grand Rapids.
Cadillac Milk Depot,	Sanitary Milk Products Co.,	Cadillac.

COMMISSION MERCHANTS

COMMISSION MERCHANTS.

Under Act No. 184, Public Acts of 1913 all commission merchants in the State must obtain a license from this Department on the tenth day of October in each year. The law provides that any shipper who feels aggrieved over a transaction with any licensed commission man in the State, may make complaint of his grievance to this Department and it becomes the duty of the Department to investigate the grievance and if possible to obtain a satisfactory settlement between the parties.

The law further provides that if the commission merchant has been a party of any wrong doing toward any of his customers, the Dairy and Food Commissioner may revoke his license.

The following are the names and addresses of commission merchants licensed under the Act for the year beginning October 10, 1915:

John Carroll, 113-115 Third St., Bay City.
Powers & Kessler, 115 3rd St., Bay City.
A. B. Perkins Co., 111 3rd St., Bay City.
Frank Wise, 374-376 High St., East, Detroit.
Bart P. White & Co., 411 East High St., Detroit.
J. H. Geymann & Bro., 388 East High St., Detroit.
H. M. Weil & Co., 24 Market St., Detroit.
Wm. L. Benjamin, 471 Gratiot Ave., Detroit.
Chas. Brown & Co., 14-16 Market St., Detroit.
Market Commission Co., 22 Market St., Detroit.
E. M. Cole & Bro., 413 Russell St., Detroit.
Curro & Marchi, 8-10 Market St., Detroit.
Shamii Brothers, 355 Russell St., Detroit.
Naumann Commission Co., 30 Market St., Detroit.
A. J. Bloomgarden, 33 West Woodbridge St., Detroit.
John J. Uller, 415 Russell St., Detroit.
William Stocker & Sons, 383 Russell St., Detroit.
D. O. Wiley & Co., 20 N. Woodbridge St., Detroit.
Fielding & Kniffin, 433 Winder St., Detroit.
Detroit Beef Co., 523 Adelaide St., Detroit.
Chas. W. Rudd & Son, 31 W. Woodbridge St., Detroit.
Riopelle Market Co., 436-450 Riopelle St., Detroit.
R. Hirt, Jr., 34-36 Market St., Detroit.
Brown Produce Co., 372 E. High St., Detroit.
A. Jacobs & Co., 24 W. Woodbridge St., Detroit.
Harris & Throop, 777 Michigan Ave., Detroit.
Edward Read & Son, 26 W. Woodbridge St., Detroit.
Geo. L. Collins & Co., 29 W. Woodbridge St., Detroit.
J. H. Rickard Co., 27 W. Woodbridge St., Detroit.
F. P. Reynolds & Co., 40 Griswold St., Detroit.
Griggs-Fuller & Co., 30 W. Woodbridge St., Detroit.

James N. Rose, 496 18th St., Detroit.
Fred Nagel & Son, 514-516 18th St., Detroit.
Purse Bros., 32 Market St., Detroit.
Weil Turnbull & Co., 19 W. Woodbridge St., Detroit.
F. C. Kohs, 484 18th St., Detroit.
Newhall Market Co., 480-482 Riopelle St., Detroit.
Smith Poultry & Egg Co., 26 Western Market, Detroit.
Ben B. Swartz, 373 Russell St., Detroit..
Theodore P. Ladue, 41 W. Woodbridge St., Detroit.
H. L. Walsh Co., 8th St. and M. C. Ry., Detroit.
Carter & Lehr, 512 18th St., Detroit.
F. E. Bertrand & Co., 42 Western Market, Detroit.
F. J. Schaffer & Co., 398 E. High St., Detroit.
Chas. Snitz, 391 Russell St., Detroit.
Peter S. Scanlon & Sons, 46 Western Market, Detroit.
L. H. Lahue & Co., 530 18th St., Detroit.
Benj. Schwartz, 32 Western Market, Detroit.
Hayes & Knauff, 454 Riopelle St., Detroit.
Rufus B. Holmes Co., 405 E. High St., Detroit.
A. C. Mann & Co., 474 Riopelle St., Detroit.
Welch & Gamble, 8 Ionia St., S. W., Grand Rapids.
John G. Doan, 311 Ionia Ave., S. W., Grand Rapids.
M. Piowaty & Sons, 36-40 Ottawa Ave., N. W., Grand Rapids.
Kalamazoo Cold Storage Co., Kalamazoo.
Swindell-Taylor Co., 429 N. Church St., Kalamazoo.
Michigan Butter & Egg Co., 701 Kalamazoo St., East, Lansing.
J. H. Rose Company, 209 N. Cedar St., Lansing.
M. Piowaty & Sons, 532 Michigan Ave. East, Lansing.
Carpenter Cook Co., Menominee.
M. Piowaty & Sons, 10-12-14 Terrace St., Muskegon.
Spangler, Davis & Co., 101 N. Water St., Saginaw.
H. B. Burdick Seed House, 101 E. Genesee, Saginaw.
Schwartz Bros., 108-110 N. Water St., Saginaw.

PROSECUTIONS

STATEMENT OF PROSECUTIONS.

FISCAL YEAR ENDING JUNE 30, 1916.

Cases pending July 1, 1915	57
Cases pending on appeal	1
Cases commenced during fiscal year	104

CASES DISPOSED OF.

Before examining magistrates:	
Defendants bound over	18
Defendants discharged	9
In trial courts:	
Defendants convicted	99
Defendants acquitted	7
Cases pending July 1, 1916	47

COURT PROCEEDINGS.

FISCAL YEAR ENDING JUNE 30, 1916.

CASE NO. 861.

PEOPLE VS. ISAAC VAN WESTENBRUGGE.

Charge: Selling adulterated lard.

In police court, city of Grand Rapids. May 5, 1913: Complaint made. May 6, 1913: Examination held. June 26, 1913: Defendant convicted. Case appealed and pending.

CASE NO 873.

PEOPLE VS. ISAAC VAN WESTENBRUGGE.

Charge: Selling adulterated lard.

In police court, city of Grand Rapids. June 9, 1913: Complaint made. June 18, 1913: Examination held. Bound over to superior court for trial. Defendant entered a plea of guilty. Placed on probation.

CASE NO. 1093.

PEOPLE VS. F. G. LAFER.

Charge: Deceptive advertising.

In police court, city of Detroit. April 1, 1914: Complaint made. Defendant bound over to recorder's court for trial. Case pending.

STATE OF MICHIGAN.

CASE NO. 1094.

PEOPLE VS. F. G. LAFER.

Charge: Deceptive advertising.

In police court, city of Detroit. April 1, 1914: Complaint made. Defendant bound over to recorder's court for trial. Case pending.

CASE NO. 1126.

PEOPLE VS. DELL A. CHRISTY.

Charge: Selling sausage containing an excessive amount of cereal.

In justice court of Wayne: May 27, 1914: Complaint made. June 4, 1914: Defendant bound over to recorder's court for trial. March 7, 1916: Case discontinued.

CASE NO. 1133.

PEOPLE VS. JOHN A. PETERS.

Charge: Selling sausage containing excessive cereal.

In police court, city of Detroit. June 8, 1914: Complaint made. Defendant bound over to recorder's court for trial. Defendant convicted. Sentence suspended awaiting appeal. March 7, 1916: Appeal abandoned. Fined \$200.

CASE NO. 1164.

PEOPLE VS. SMITH & LAKE.

Charge: Selling sausage containing excessive cereal.

In justice court, city of Petoskey. July 6, 1914: Complaint made. Case dismissed.

CASE NO. 1167.

PEOPLE VS. FRANK WALTMAN.

Charge: Selling sausage containing excessive cereal.

In police court, city of Bay City: July 7, 1914: Complaint made. Defendant waived examination and was bound over to circuit court for trial. Case pending.

CASE NO. 1168.

PEOPLE VS. PAUL WALTER.

Charge: Selling sausage containing excessive cereal.

In police court, city of Bay City. July 7, 1914: Complaint made. Defendant waived examination and was bound over to circuit court for trial. Case pending.

CASE NO. 1169.

PEOPLE VS. ED. L. BAUMGARTEN.

Charge: Selling sausage containing excessive cereal.

In police court, city of Bay City. July 7, 1914: Complaint made. Defendant waived examination and was bound over to circuit court for trial. Case pending.

CASE NO. 1170.

PEOPLE VS. CONRAD GUNTERMAN.

Charge: Selling sausage containing excessive cereal.

In police court, city of Bay City. July 7, 1914: Complaint made. Defendant waived examination and was bound over to circuit court for trial. Case pending.

CASE NO. 1171.

PEOPLE VS. CARL DEHN.

Charge: Selling sausage containing excessive cereal.

In police court, city of Bay City. July 7, 1914: Complaint made. Bound over to circuit court for trial. December 15, 1914: Defendant convicted. Case appealed to supreme court. January 3, 1916: Conviction affirmed by supreme court.

CASE NO. 1172.

PEOPLE VS. GEO. ZIMMER.

Charge: Selling sausage containing excessive cereal.

In police court, city of Bay City. July 7, 1914: Complaint made. July 29, 1914: Defendant waived examination and was bound over to circuit court for trial. Case pending.

CASE NO. 1173.

PEOPLE VS. CHAS. C. SCHULTZ.

Charge: Selling sausage containing excessive cereal.

In police court, city of Bay City. July 7, 1914: Complaint made. July 29, 1914: Defendant waived examination and was bound over to circuit court for trial. Case pending.

CASE NO. 1174.

PEOPLE VS. STANLEY WOJCIECHOWSKI.

Charge: Selling sausage containing excessive cereal.

In police court, city of Bay City. July 7, 1914: Complaint made. July 29, 1914: Defendant waived examination and was bound over to circuit court for trial. Case pending.

CASE NO. 1175.

PEOPLE VS. VALENTINE HADYNSKI.

Charge: Selling sausage containing excessive cereal.

In police court, city of Bay City. July 7, 1914: Complaint made. July 29, 1914: Defendant waived examination and was bound over to circuit court for trial. Case pending.

CASE NO. 1176.

PEOPLE VS. JOSEPH BUDZINSKI.

Charge: Selling sausage containing excessive cereal.

In police court, city of Bay City. July 7, 1914: Complaint made. July 29, 1914: Defendant waived examination and was bound over to circuit court for trial. Case pending.

CASE NO. 1201.

PEOPLE VS. IGNATZ W. GARDULA.

Charge: Selling champhor liniment not in conformity with legal requirements.

In police court, city of Detroit. August 4, 1914: Complaint made. August 14, 1914: Defendant bound over to recorder's court for trial. Case dismissed.

STATE OF MICHIGAN.

CASE NO. 1202.

PEOPLE VS. HENRY BARBER.

Charge: Selling sausage containing excessive cereal.
In justice court, city of Cheboygan. August 4, 1914: Complaint made. August 27, 1914: Defendant bound over to circuit court for trial. Case pending.

CASE NO. 1244.

PEOPLE VS. FRANK H. MILKS.

Charge: Selling sausage containing excessive cereal.
In justice court, city of Grayling. September 10, 1914: Complaint made. Defendant waived examination and was bound over to circuit court for trial. Case dismissed.

CASE NO. 1249.

PEOPLE VS. WM. E. HAZELL.

Charge: Not stamping sausage containing cereal.
In justice court, city of Alpena. September 17, 1914: Complaint made. Bound over to circuit court for trial. Case pending.

CASE NO. 1251.

PEOPLE VS. CHRIS NILSON.

Charge: Selling sausage containing excessive cereal.
In justice court, city of Alpena. September 17, 1914: Complaint made. Defendant bound over to circuit court for trial. Case pending.

CASE NO. 1252.

PEOPLE VS. W. J. GABRYSIAC.

Charge: Selling sausage containing cereal without stamping.
In justice court, city of Alpena. September 17, 1914: Complaint made. Defendant bound over to circuit court for trial. Case pending.

CASE NO. 1253.

PEOPLE VS. JOHN B. MARKOWSKI.

Charge: Selling sausage containing excessive cereal.
In justice court, city of Alpena. September 17, 1914: Complaint made. Defendant bound over to circuit court for trial. Case pending.

CASE NO. 1254.

PEOPLE VS. LOUIS T. ST. ONGE.

Charge: Selling sausage containing excessive cereal.
In justice court, city of Alpena. September 14, 1914: Complaint made. Defendant bound over to circuit court for trial. Case pending.

CASE NO. 1255.

PEOPLE VS. M. A. SHUBERT.

Charge: Selling sausage containing cereal without stamping.
In justice court, city of Alpena. September 14, 1914: Complaint made. Defendant bound over to circuit court for trial. Case pending.

CASE NO. 1256.

PEOPLE VS. J. LOUIS ST. JOHN.

Charge: Selling sausage containing excessive cereal.
In justice court, city of Alpena. September 17, 1914: Complaint made. Defendant bound over to circuit court for trial. Case pending.

CASE NO. 1257.

PEOPLE VS. DAN DUCHENE.

Charge: Selling sausage containing excessive cereal.
In justice court, city of Alpena. September 17, 1914: Complaint made. Defendant bound over to circuit court for trial. Case pending.

CASE NO. 1258.

PEOPLE VS. ALBERT KRUGER.

Charge: Selling sausage containing excessive cereal.
In justice court, city of Alpena. September 17, 1914: Complaint made. Defendant bound over to circuit court for trial. Case pending.

CASE NO. 1260.

PEOPLE VS. J. WALLE & SON.

Charge: Selling sausage containing cereal without stamping.
In justice court, city of Alpena. September 17, 1914: Complaint made. Defendant bound over to circuit court for trial. Case pending.

CASE NO. 1261.

PEOPLE VS. WM. H. BERK.

Charge: Sale of adulterated butter.
In police court, city of Detroit. September 18, 1914: Complaint made. Defendant bound over to recorder's court for trial. Case pending.

CASE NO. 1289.

PEOPLE VS. FELSPAUGH BROS.

Charge: Selling sausage containing excessive cereal.
In police court, city of Grand Rapids. October 27, 1914: Complaint made. November 15, 1914: Defendant bound over to superior court for trial. September 16, 1915: Defendant convicted. Fined \$100 and costs.

CASE NO. 1290.

PEOPLE VS. JACOB VERSCHOOR.

Charge: Selling sausage containing excessive cereal.
In police court, city of Grand Rapids. October 27, 1914: Complaint made. November 6, 1914: Defendant bound over to superior court for trial. January 10, 1916: Defendant entered a plea of guilty. Fined \$11 costs.

CASE NO. 1298.

PEOPLE VS. FRANK NOA.

Charge: Using excessive cereal in the manufacture of sausage.
In justice court, city of Gaylord. November 11, 1914: Complaint made. Defendant waived examination and was bound over to circuit court for trial. Case pending.

STATE OF MICHIGAN.

CASE NO. 1307.

PEOPLE VS. CHAS. MORAL.

Charge: Selling colored oleomargarine for butter.
In police court, city of Detroit. November 28, 1914: Complaint made. Case pending.

CASE NO. 1308.

PEOPLE VS. THOS. M. FAUST, PROP. WHITE FRONT.

Charge: Selling colored oleomargarine for butter.
In police court, city of Detroit. November 28, 1914: Complaint made. Case pending.

CASE NO. 1309.

PEOPLE VS. C. L. PIXLEY.

Charge: Selling colored oleomargarine.
In police court, city of Detroit. November 28, 1914: Complaint made. December 29, 1914: Examination held. Case pending.

CASE NO. 1310.

PEOPLE VS. H. B. MILES.

Charge: Selling oleomargarine for butter.
In police court, city of Detroit. November 28, 1914: Complaint made. Case pending.

CASE NO. 1311.

PEOPLE VS. FRANK ARENS.

Charge: Selling colored oleomargarine for butter.
In police court, city of Detroit. November 28, 1914: Complaint made. Case pending.

CASE NO. 1312.

PEOPLE VS. W. H. GREEN.

Charge: Selling colored oleomargarine for butter.
In police court, city of Detroit. November 28, 1914: Complaint made. Case pending.

CASE NO. 1313.

PEOPLE VS. FRED RAULO.

Charge: Selling oleomargarine artificially colored.
In police court, city of Detroit. November 28, 1914: Complaint made. Case pending.

CASE NO. 1314.

PEOPLE VS. WM. LEWIS.

Charge: Selling oleomargarine artificially colored.
In police court, city of Detroit. November 28, 1914: Complaint made. Case pending.

CASE NO. 1315.

PEOPLE VS. ALEX. M. WRIGHT.

Charge: Selling oleomargarine artificially colored.
In police court, city of Detroit. November 28, 1914: Complaint made. Case pending.

CASE NO. 1316.

PEOPLE VS. JOHN B. SALES.

Charge: Selling oleomargarine artificially colored.
In police court, city of Detroit. November 28, 1914: Complaint made. Case pending.

CASE NO. 1331.

PEOPLE VS. ALFRED E. TRUMAN.

Charge: Selling sausage containing excessive cereal.
In justice court, village of White Cloud. December 3, 1914: Complaint made. Defendant bound over to circuit court for trial. January 14, 1916: Defendant entered a plea of guilty. Sentence suspended for one year.

CASE NO. 1364.

PEOPLE VS. CLEM BREWER.

Charge: Using excessive cereal in the manufacture of sausage.
In justice court, city of Ithaca. January 5, 1915: Complaint made. January 6, 1915: Defendant waived examination and was bound over to circuit court for trial.

CASE NO. 1375.

PEOPLE VS. FRANK C. HOLMES & SON.

Charge: Selling food in package form without net weight stamped thereon.
In justice court, city of Alpena. January 15, 1915: Complaint made. Defendant entered a plea of guilty. Sentence suspended.

CASE NO. 1386.

PEOPLE VS. ELI RAYCROFT.

Charge: Selling decomposed and rotten eggs.
In justice court of Ithaca. February 3, 1915: Complaint made. February 23, 1915: Examination held. Bound over to circuit court for trial. March 22, 1916: Defendant convicted. Fined \$25 and costs.

CASE NO. 1399.

PEOPLE VS. GEO. E. MCKENZIE.

Charge: Selling sausage containing excessive cereal.
In justice court of Gaylord. April 2, 1915: Complaint made. Case pending.

CASE NO. 1400.

PEOPLE VS. ROBERT SHAFER.

Charge: Selling infected confectionery.
In justice court, city of Petoskey. August 9, 1915: Complaint made. April 24, 1915: Defendant bound over to circuit court for trial. Defendant entered a plea of guilty. Fined \$25.

STATE OF MICHIGAN:

CASE NO. 1412.

PEOPLE VS. CHAS. HOLT.

Charge: Violation of weights and measures law.

In police court, city of Kalamazoo. May 12, 1915: Complaint made. June 16, 1915: Defendant pleaded not guilty. Case nolle prossed.

CASE NO. 1415.

PEOPLE VS. ALEX VELLAMAN.

Charge: Deceptive advertising.

In police court, city of Kalamazoo. May 24, 1915: Complaint made. June 2, 1915: Examination held. Case pending.

CASE NO. 1424.

PEOPLE VS. H. O. SMITH.

Charge: Sale of illegal scale.

In justice court, city of St. Joseph. June 8, 1915: Complaint made. August 25, 1915: Defendant acquitted.

CASE NO. 1425.

PEOPLE VS. FRANK BINISKI.

Charge: Conducting an insanitary meat market.

In justice court, city of Calumet. June 11, 1915: Complaint made. June 28, 1915: Defendant entered a plea of guilty. Fined \$5 and costs.

CASE NO. 1427.

PEOPLE VS. ALBERT PHILLIPS.

Charge: Sale of unwholesome meat.

In recorder's court, city of Detroit. June 18, 1915: Complaint made. July 13, 1915: Defendant entered a plea of guilty.

CASE NO. 1432.

PEOPLE VS. DICK BANYON.

Charge: Selling Hamburg containing sulphites.

In justice court, city of Benton Harbor. June 22, 1915: Complaint made. August 25, 1915: Case dismissed.

CASE NO. 1441.

PEOPLE VS. JAMES GRIER.

Charge: Sale of adulterated milk.

In justice court, of Standish. June 24, 1915: Complaint made. July 7, 1915: Defendant entered a plea of guilty. Fined \$15 and costs.

CASE NO. 1443.

PEOPLE VS. HARRON & SON.

Charge: Sale of adulterated linseed oil.

In justice court, city of Charlevoix. June 26, 1915: Complaint made. July 22, 1915: Defendant entered a plea of guilty. Fined \$25.

CASE NO. 1448.

PEOPLE VS. WM. ISAAC.

Charge: Selling sausage containing excessive cereal.
In justice court, city of Sault Ste. Marie. July 1, 1915: Complaint made.
July 20, 1915: Examination held. Bound over to circuit court for trial. January
11, 1916: Defendant convicted. Fined \$40 and costs.

CASE NO. 1449.

PEOPLE VS. D. E. TURNER.

Charge: Selling adulterated linseed oil.
In justice court, city of Sault Ste. Marie. July 1, 1915: Complaint made.
July 20, 1915: Examination held. Bound over to circuit court for trial. January
11, 1916: Defendant entered a plea of guilty. Fined \$25 and costs.

CASE NO. 1450.

PEOPLE VS. WILLIAM BAGLEY.

Charge: Selling unwholesome veal.
In police court, city of Detroit. July 2, 1915: Complaint made. July 16, 1915:
Defendant entered a plea of guilty. Fined \$25.

CASE NO. 1451.

PEOPLE VS. H. H. MITTENTHAL.

Charge: Misbranding onion crates.
In justice court, city of Battle Creek. July 13, 1915: Complaint made. July
21, 1915: Examination held. Bound over to circuit court for trial. Defendant
acquitted.

CASE NO. 1452.

PEOPLE VS. GEO. PETERS, JR.

Charge: Feeding flesh of old, decrepit and infirm animals.
In justice court, city of St. Johns. July 15, 1915: Complaint made. Defend-
ant entered a plea of guilty. Fined \$25 and costs.

CASE NO. 1453.

PEOPLE VS. OLIVER TREADEAU.

Charge: Sale of adulterated milk.
In justice court, city of Standish. July 19, 1915: Complaint made. July 20,
1915: Defendant entered a plea of guilty. Fined \$15 and costs.

CASE NO. 1454.

PEOPLE VS. F. GRESECKI.

Charge: Sale of adulterated milk.
In justice court, city of Standish. July 19, 1915: Complaint made. Defendant
entered a plea of guilty. Fined \$5 and costs.

STATE OF MICHIGAN.

CASE NO. 1455.

PEOPLE VS. A. C. KIMVALL.

Charge: Sale of adulterated milk.

In justice court, city of Standish. July 19, 1915: Complaint made. July 20, 1915: Defendant entered a plea of guilty. Sentence suspended on payment of costs.

CASE NO. 1456.

PEOPLE VS. TONY SOBOLISKI.

Charge: Sale of adulterated milk.

In justice court, city of Standish. July 19, 1915: Complaint made. July 20, 1915: Defendant entered a plea of guilty. Fined \$15 and costs.

CASE NO. 1457.

PEOPLE VS. WM. P. WEBB.

Charge: Selling hamburg steak containing sulphites.

In police court, city of Pontiac. July 20, 1915: Complaint made. December 4, 1915: Defendant entered a plea of guilty. Sentence suspended on payment of costs.

CASE NO. 1458.

PEOPLE VS. O. B. EATON.

Charge: Sale of adulterated milk.

In justice court, village of Lake Odessa. July 22, 1915: Complaint made. July 23, 1915: Examination held. Defendant entered a plea of guilty. Fined \$10 and costs.

CASE NO. 1459.

PEOPLE VS. JOHN A. SALES.

Charge: Selling hamburg steak containing sulphites.

In police court, city of Detroit. July 24, 1915: Complaint made. July 30, 1915: Examination held. Bound over to recorder's court for trial. September 20, 1915: Defendant convicted. Fined \$25.

CASE NO. 1460.

PEOPLE VS. MAURICE REARDON.

Charge: Selling hamburg steak containing sulphites.

In police court, city of Detroit. July 24, 1915: Complaint made. July 30, 1915: Examination held. Bound over to recorder's court for trial. September 20, 1915: Defendant convicted. Fined \$25.

CASE NO. 1461.

PEOPLE VS. HABIB SHAMIE.

Charge: Selling potatoes short weight.

In police court, city of Detroit. July 24, 1915: Complaint made. Action suspended. Defendant on probation.

CASE NO. 1462.

PEOPLE VS. SAM IGREM, MGR. FOR B. HAMADY.

Charge: Shipping dirty ice cream cans.

In justice court, Indian Fields Twp., Tuscola county. July 27, 1915: Complaint made. July 27, 1915: Examination held. Defendant entered a plea of guilty. Fined \$5 and costs.

CASE NO. 1463.

PEOPLE VS. CARL SALONSKE.

Charge: Sale of hamburg steak containing sulphites.

In justice court, city of St. Joseph. July 29, 1915: Complaint made. Defendant waived examination and was bound over to circuit court for trial. September 13, 1915: Defendant entered a plea of guilty. Fined \$25 and costs.

CASE NO. 1464.

PEOPLE VS. HARRY JACOBSON.

Charge: Sale of diseased meat.

In justice court, city of St. Joseph. August 5, 1915: Complaint made. August 13, 1915: Examination held. Defendant bound over to circuit court for trial. Case dismissed by prosecutor.

CASE NO. 1465.

PEOPLE VS. EMIL TRUDEAU.

Charge: Selling potatoes short weight.

In justice court, city of Manistique. August 6, 1915: Complaint made. August 14, 1915: Examination held. Defendant entered a plea of guilty. Fined \$20 and costs.

CASE NO. 1466.

PEOPLE VS. ERNEST TYSON (BAZLEY CASH MARKET).

Charge: Selling tainted meat.

In justice court, city of Battle Creek. August 9, 1915: Complaint made. August 17, 1915: Examination held. Bound over to circuit court for trial.

CASE NO. 1467.

PEOPLE VS. J. J. LAMBERT.

Charge: Selling adulterated linseed oil.

In justice court, city of Bay City. August 11, 1915: Complaint made. August 11, 1915: Examination held. Defendant entered a plea of guilty. Fined \$25 and costs.

CASE NO. 1468.

PEOPLE VS. E. L. LANGWORTHY.

Charge: Shipping dirty ice cream cans.

In justice court of Linden. August 12, 1915: Complaint made. August 12, 1915: Examination held. Defendant entered a plea of guilty. Fined \$15 and costs.

STATE OF MICHIGAN.

CASE NO. 1469.

PEOPLE VS. PETER ANDERSON.

Charge: Conducting an insanitary dairy.

In justice court, city of Grand Haven. September 3, 1915: Complaint made.
September 3, 1915: Defendant convicted. Fined \$10 and costs.

CASE NO. 1470.

PEOPLE VS. CHAS. JOHNSON.

Charge: Conducting an insanitary dairy.

In justice court, city of Grand Haven. September 3, 1915: Complaint made.
Defendant convicted. Fined \$10 and costs.

CASE NO. 1471.

PEOPLE VS. FRANK L. FRENCH (ECKEL DRUG CO.).

Charge: Selling Tr. iodine not in conformity with U. S. P. requirements.

In justice court, city of Petoskey. September 9, 1915: Complaint made. Defendant entered a plea of guilty. Fined \$25 and costs.

CASE NO. 1472.

PEOPLE VS. M. DORNBOS.

Charge: Conducting an insanitary dairy.

In justice court of Riverside. September 10, 1915: Complaint made. Defendant entered a plea of guilty. Fined \$10 and costs.

CASE NO. 1473.

PEOPLE VS. JOHN STRACHAN.

Charge: Shipping dirty ice cream cans.

In justice court, city of Ionia. September 10, 1915: Complaint made. Defendant entered a plea of guilty. Fined \$10 and costs.

CASE NO. 1474.

PEOPLE VS. TONY MISTRELLA.

Charge: Packing peaches so that the faced or shown surface gave a false representation of the contents of the basket.

In justice court, city of St. Joseph. September 10, 1915: Complaint made. Defendant entered a plea of guilty. Fined \$10 and costs.

CASE NO. 1475.

PEOPLE VS. SIMON I. CATSICOPOULUS (PARISIAN CAFE).

Charge: Sale of adulterated milk.

In justice court, city of Marquette. September 10, 1915: Complaint made. Defendant entered a plea of guilty. Fined \$10 and costs.

CASE NO. 1476.

PEOPLE VS. JACOB J. SCHUYLER.

Charge: Shipping dirty ice cream cans.

In justice court, city of Jackson. September 13, 1915: Complaint made. Defendant entered a plea of guilty. Sentence suspended.

CASE NO. 1477.

PEOPLE VS. NIELS HANSON.

Charge: Selling potatoes short weight.

In justice court, city of Negaunee. September 15, 1915: Complaint made. Defendant entered a plea of guilty. Fined \$20 and costs. Fine remitted on payment of costs.

CASE NO. 1478.

PEOPLE VS. MARTIN CURTIN.

Charge: Sale of adulterated milk.

In justice court, city of Elkton. September 16, 1915: Complaint made. Defendant entered a plea of guilty. Fined \$15 and costs.

CASE NO. 1479.

PEOPLE VS. ED. HAZZARD.

Charge: Selling potatoes short weight.

In police court, city of Jackson. September 17, 1915: Complaint made. September 27, 1915: Defendant entered a plea of guilty. Fined \$20.

CASE NO. 1480.

PEOPLE VS. HOMER FRAZIER.

Charge: Selling potatoes short weight.

In police court, city of Jackson. September 17, 1915: Complaint made. Defendant entered a plea of guilty. Fined \$13.99 costs.

CASE NO. 1481.

PEOPLE VS. J. MUTTER.

Charge: Shipping dirty ice cream cans.

In justice court of Clare. September 22, 1915: Complaint made. September 24, 1915: Defendant entered a plea of guilty. Fined \$5 and costs.

CASE NO. 1482.

PEOPLE VS. ED. L. CARR.

Charge: Sale of sausage containing excessive cereal.

In justice court, city of Owosso. September 23, 1915. Complaint made. October 4, 1915: Defendant entered a plea of guilty. Fined \$10.

CASE NO. 1483.

PEOPLE VS. NATE B. SMITH & CO.

Charge: Selling potatoes short weight.

In justice court, city of Durand. September 23, 1915: Complaint made. September 24, 1915: Defendant entered a plea of guilty. Fined \$20.

CASE NO. 1484.

PEOPLE VS. GILBERT ELLERTON.

Charge: Having in possession with intent to sell rotten or decomposed meat.

In police court, city of Detroit. September 24, 1915: Complaint made. Oct. 5, 1915: Bound over to recorder's court for trial. November 5, 1915: Defendant acquitted.

STATE OF MICHIGAN.

CASE NO. 1485.

PEOPLE VS. L. B. BENTON.

Charge: Sale of adulterated milk.

In police court, city of Jackson. September 27, 1915: Complaint made. Defendant entered a plea of guilty. Fined \$10 and costs.

CASE NO. 1486.

PEOPLE VS. C. C. SMYTHE.

Charge: Sale of adulterated milk.

In police court, city of Jackson. September 27, 1915: Complaint made. Oct. 8, 1915: Defendant convicted. Fined \$23.37 costs.

CASE NO. 1487.

PEOPLE VS. L. J. BUDGE OF BEAVERTON.

Charge: Shipping unwashed ice cream cans.

In justice court of Gladwin. September 28, 1915: Complaint made. Defendant entered a plea of guilty. Sentence suspended.

CASE NO. 1488.

PEOPLE VS. ALBERT TIDEY.

Charge: Packing peaches so that the faced or shown surface gave a false representation of the contents of the basket.

In justice court, city of St. Joseph. October 1, 1915: Complaint made. Oct. 21, 1915: Defendant convicted. Fined \$5 and costs. Case appealed to circuit court. Jury disagree.

CASE NO. 1489.

PEOPLE VS. C. FEDERIGHI.

Charge: Packing peaches so that the faced or shown surface gave a false representation of the contents of the basket.

In justice court, city of St. Joseph. October 1, 1915: Complaint made. Oct. 20, 1915: Defendant convicted. Fined \$5 and costs. Case appealed to circuit court. Defendant convicted. Appealed to supreme court. June 8, 1916: Reversed.

CASE NO. 1490.

PEOPLE VS. FRED KRIEGER.

Charge: Packing peaches so that the faced or shown surface gave a false representation of the contents of the basket.

In justice court, city of St. Joseph. October 1, 1915: Complaint made. Oct. 26, 1915: Defendant entered a plea of guilty. Fined \$9.35 fine and costs.

CASE NO. 1491.

PEOPLE VS. JAKE SCHAUSS.

Charge: Packing peaches so that the faced or shown surface gave a false representation of the contents of the basket.

In justice court, city of St. Joseph. October 1, 1915: Complaint made. Oct. 26, 1915: Defendant entered a plea of guilty. Fine and costs \$9.35.

CASE NO. 1492.

PEOPLE VS. FRANK KIBLER.

Charge: Packing peaches so that the faced or shown surface gave a false representation of the contents of the basket.

In justice court, city of St. Joseph. October 1, 1915: Complaint made. Oct. 26, 1915: Defendant entered a plea of guilty. Fine and costs \$9.35.

CASE NO. 1493.

PEOPLE VS. PERCY H. LEGG.

Charge: Selling hamburg steak containing sulphurous acid or salts thereof.

In justice court, city of Pontiac. October 4, 1915: Complaint made. December 4, 1915: Defendant entered a plea of guilty. Sentence suspended on payment of costs.

CASE NO. 1494.

PEOPLE VS. CHAS. NELDBRETT.

Charge: Selling hamburg steak containing sulphurous acid or salts thereof.

In justice court, city of Pontiac. October 4, 1915: Complaint made. December 4, 1915: Defendant entered a plea of guilty. Sentence suspended on payment of costs.

CASE NO. 1495.

PEOPLE VS. JOHN CADY.

Charge: Selling decomposed or rotten eggs.

In justice court, city of Battle Creek. October 7, 1915: Complaint made. November 5, 1915: Examination held. March 14, 1916: Defendant convicted. Fined \$25 and costs.

CASE NO. 1496.

PEOPLE VS. DAVID ROSENTHAL.

Charge: Selling imitation benedictine for benedictine.

In police court, city of Detroit. October 20, 1915: Complaint made. November 5, 1915: Examination held. Bound over to recorder's court for trial. February 19, 1916: Defendant acquitted.

CASE NO. 1497.

PEOPLE VS. C. M. GUSTAIN.

Charge: Packing peaches so that the faced or shown surface gave a false representation of the contents of the basket.

In justice court, city of St. Joseph. October 22, 1915: Complaint made. Oct. 22, 1915: Defendant entered a plea of guilty. Paid \$9.35 fine and costs.

CASE NO. 1498.

PEOPLE VS. FRANK OATLIFF.

Charge: Packing peaches so that the faced or shown surface gave a false representation of the contents of the basket.

In justice court, city of St. Joseph. October 22, 1915: Complaint made. Defendant entered a plea of guilty. Paid \$10.55 fine and costs.

STATE OF MICHIGAN.

CASE NO. 1499.

PEOPLE VS. EMPIRE FRUIT FARM.

Charge: Packing peaches so that the faced or shown surface gave a false representation of the contents of the basket.

In justice court, city of St. Joseph. October 22, 1915: Complaint made. Case pending.

CASE NO. 1500.

PEOPLE VS. GILES A. WEBB.

Charge: Selling hamburg steak containing sulphurous or salts thereof.

In justice court, city of Pontiac. October 28, 1915: Complaint made. December 4, 1915: Defendant entered a plea of guilty. Sentence suspended on payment of costs.

CASE NO. 1501.

PEOPLE VS. N. E. CANNULLA.

Charge: Packing peaches so that the faced or shown surface gave a false representation of the contents of the basket.

In justice court, city of St. Joseph. October 29, 1915: Complaint made. Defendant entered a plea of guilty. Fined \$6.95 costs.

CASE NO. 1502.

PEOPLE VS. MICHAEL N. LEHNER.

Charge: Obstructing an inspector in the performance of his duty.

In justice court, village of Kalkaska. November 3, 1915: Complaint made. Defendant entered a plea of guilty. Fined \$5.

CASE NO. 1503.

PEOPLE VS. H. L. HORTON.

Charge: Selling diseased hog for food.

In justice court, city of Traverse City. November 4, 1915: Complaint made. December 24, 1915: Defendant acquitted.

CASE NO. 1504.

PEOPLE VS. HARRY MAWRENCE.

Charge: Having in possession and using a false weighing scale.

In justice court of Calumet. November 11, 1915: Complaint made. Defendant entered a plea of guilty. Fined \$20 and costs.

CASE NO. 1505.

PEOPLE VS. GEO. DEBOER.

Charge: Conducting an insanitary dairy.

In justice court, city of Zeeland. November 16, 1915: Complaint made. Defendant entered a plea of guilty. Fined \$15 and costs.

CASE NO. 1506.

PEOPLE VS. A. P. JOHNSTON.

Charge: Conducting an insanitary dairy.

In justice court, city of Zeeland. November 16, 1915: Complaint made. Defendant entered a plea of guilty. Fined \$15 and costs.

CASE NO. 1507.

PEOPLE VS. MARTIN ROBINSON.

Charge: Selling spirits nitre not in conformity with U. S. P. requirements.
In police court, city of Detroit. November 16, 1915: Complaint made. November 30, 1915: Examination held. Bound over to recorder's court for trial.
March 14, 1916: Case withdrawn, defendant having gone out of business.

CASE NO. 1508.

PEOPLE VS. THEO. A. COOK.

Charge: Failure to pay registration fee.
In justice court, of Chesaning. November 17, 1915: Complaint made. November 18, 1915: Examination held. Defendant entered a plea of guilty. Fined \$50 and costs.

CASE NO. 1509.

PEOPLE VS. AUGUST SEMERLING.

Charge: Conducting insanitary dairy.
In justice court, of Bessemer. November 23, 1915: Complaint made. Defendant entered a plea of guilty. Fined \$5 and costs.

CASE NO. 1510.

PEOPLE VS. GEO. GIGNER.

Charge: Maintaining a nuisance.
In justice court, city of Traverse City. December 7, 1915: Examination held. Bound over to circuit court for trial. December 24, 1915: Defendant acquitted.

CASE NO. 1511.

PEOPLE VS. CHAS. SHEER.

Charge: Inaccurate measuring.
In justice court, of Newberry. December 1, 1915: Complaint made. Defendant entered a plea of guilty. Fined \$20 and costs.

CASE NO. 1512.

PEOPLE VS. ED. S. TAYLOR.

Charge: Selling sausage containing cereal and not stamping same.
In justice court, city of Sault Ste. Marie. December 3, 1915: Complaint made. February 4, 1916: Defendant entered a plea of guilty. Fined \$40 and costs.

CASE NO. 1513.

PEOPLE VS. J. MEINECKE.

Charge: Selling adulterated milk.
In justice court, city of Saginaw. December 6, 1915: Complaint made. December 7, 1915: Examination held. Defendant entered a plea of guilty. Fined \$25 and costs.

CASE NO. 1514.

PEOPLE VS. J. KOFF.

Charge: Selling adulterated milk.
In justice court, city of Saginaw. December 6, 1915: Complaint made. December 7, 1915: Defendant entered a plea of guilty. Fined \$13 and costs.

STATE OF MICHIGAN.

CASE NO. 1515.

PEOPLE VS. WM. SHOEMAKER.

Charge: Selling adulterated milk.

In justice court, city of Saginaw. December 6, 1915: Complaint made. Defendant entered a plea of guilty. Fined \$22 and costs.

CASE NO. 1516.

PEOPLE VS. JOHN J. BUELLE.

Charge: Using liquid quart measure for measuring cranberries.

In justice court, city of Houghton. December 10, 1915: Complaint made. Defendant entered a plea of guilty. Fined \$20 and costs.

CASE NO. 1517.

PEOPLE VS. ORESCENT CANDY CO.

Charge: Failure to stamp net weight on packages.

In justice court, city of Manistee. December 16, 1915: Complaint made. Defendant entered a plea of guilty. Fined \$25 and costs.

CASE NO. 1518.

PEOPLE VS. JOHN BORNCKI.

Charge: Having in possession with intent to sell immature veal.

In justice court, city of Manistee. December 17, 1915: Complaint made. Defendant entered a plea of guilty. Fined \$45 and costs.

CASE NO. 1519.

PEOPLE VS. EDW. W. BECKETT.

Charge: Selling hamburg steak containing sulphites.

In justice court, of Sandusky. December 29, 1915: Complaint made. Case pending.

CASE NO. 1520.

PEOPLE VS. PETER MENEGEL.

Charge: Using false scale.

In justice court, city of Traverse City. October 8, 1915: Complaint made. Defendant entered a plea of guilty. Fined \$25 and costs.

CASE NO. 1521.

PEOPLE VS. E. HELLENGA.

Charge: Packing apples so that the faced or shown surface gave a false representation of the contents of the basket.

In justice court, city of Battle Creek. December 10, 1915: Complaint made. December 11, 1915: Defendant entered a plea of guilty. Fined \$5 and costs.

CASE NO. 1522.

PEOPLE VS. ROBERT MCMANAS.

Charge: Sale of adulterated milk.

In justice court, city of Battle Creek. December 13, 1915: Complaint made. December 17, 1915: Examination held. Bound over to circuit court for trial. December 21, 1915: Defendant entered a plea of guilty. Sentence suspended for one year on payment of costs.

CASE NO. 1523.

PEOPLE VS. AMOS TURNER.

Charge: Conducting an insanitary dairy.

In justice court, of Lake Linden. January 5, 1916: Complaint made. Defendant entered a plea of guilty. Fined \$5 and costs.

CASE NO. 1524.

PEOPLE VS. ARTHUR SYMONS.

Charge: Selling milk from insanitary dairy.

In justice court of Calumet. January 5, 1916: Complaint made. February 12, 1916: Defendant entered a plea of guilty. Fined \$10 and costs. Fine remitted on payment of costs.

CASE NO. 1525.

PEOPLE VS. WM. SAWYER.

Charge: Feeding turkeys forcibly to increase weight.

In justice court, city of Sault Ste Marie. January 1, 1916: Complaint made. Defendant entered a plea of guilty. Sentenced to spend 25 days in jail.

CASE NO. 1526.

PEOPLE VS. EDWIN FALLAS.

Charge: Sale of adulterated vinegar.

In justice court, city of Ionia. January 19, 1916: Complaint made. February 12, 1916: Defendant entered a plea of guilty. Fined \$25 and costs.

CASE NO. 1527.

PEOPLE VS. JOHN PAULOS.

Charge: Manufacturing ice cream without state license.

In justice court, city of Ishpeming. January 17, 1916: Complaint made. Defendant entered a plea of guilty. Fined \$25 and costs.

CASE NO. 1528.

PEOPLE VS. C. L. HURST.

Charge: Selling sausage containing excessive cereal.

In recorder's court, city of Saginaw. February 3, 1916: Complaint made. Defendant entered a plea of guilty. Fined \$100 and costs.

CASE NO. 1529.

PEOPLE VS. WM. DUKE.

Charge: Selling diseased beef.

In police court, city of Sault Ste. Marie. February 4, 1916: Complaint made. Case pending.

CASE NO. 1530.

PEOPLE VS. HENRY FITZ.

Charge: Illegal and deceptive advertising.

In justice court, city of Battle Creek. February 1, 1916: Complaint made. February 4, 1916: Examination held. Bound over to circuit court for trial. March 10, 1916: Defendant convicted. Fined \$50 and costs.

STATE OF MICHIGAN.

CASE NO. 1531.

PEOPLE VS. JOHN CABOLLO.

Charge: Conducting an insanitary dairy.

In justice court of Iron Mountain. March 3, 1916. Complaint made. Defendant entered a plea of guilty. Fined \$5 and costs.

CASE NO. 1532.

PEOPLE VS. GEORGE SERR.

Charge: Selling diseased meat.

In justice court of Corunna. March 8, 1916: Complaint made. March 8, 1916: Examination held. Bound over to circuit court for trial. Case pending.

CASE NO. 1533.

PEOPLE VS. JOSEPH STARK.

Charge: Sale of diseased meat.

In municipal court, of Owosso. March 14, 1916: Complaint made. March 15, 1916: Examination held. Bound over to circuit court for trial. Case pending.

CASE NO. 1534.

PEOPLE VS. JOHN CAMERON.

Charge: Sale of adulterated milk.

In justice court, of Standish. March 15, 1916: Complaint made. Defendant entered a plea of guilty. Fined \$15 and costs.

CASE NO. 1535.

PEOPLE VS. JACOB VEENSTRA.

Charge: Violation insanitary milk law.

In justice court, city of Battle Creek. March 18, 1916: Complaint made. Defendant entered a plea of guilty. Fined \$20 and costs.

CASE NO. 1536.

PEOPLE VS. LOUIS SAARI.

Charge: Selling milk from insanitary dairy.

In justice court, city of Houghton. March 22, 1916: Complaint made. Defendant entered a plea of guilty. Fined \$1.00 and costs. Fine remitted.

CASE NO. 1537.

PEOPLE VS. JACOB GORDON.

Charge: Selling apples short measure.

In justice court of Iron River. April 6, 1916: Complaint made. Defendant entered a plea of guilty. Fined \$5 and costs.

CASE NO. 1538.

PEOPLE VS. ED. ST. JOHNS.

Charge: Sale of insanitary milk.

In justice court, city of Battle Creek. April 11, 1916: Complaint made. Defendant entered a plea of guilty. Sentence suspended for 6 months on payment of \$4.20 costs.

CASE NO. 1539.

PEOPLE VS. CARL CREBASSA.

Charge: Conducting insanitary meat market.
In justice court of L'Anse. April 12, 1916: Complaint made. Defendant entered a plea of guilty. Fined \$25 and costs.

CASE NO. 1540.

PEOPLE VS. P. M. RESH.

Charge: Sale of insanitary cream.
In justice court, city of Battle Creek. April 17, 1916: Complaint made. Defendant entered a plea of guilty. Fined \$5 and costs.

CASE NO. 1541.

PEOPLE VS. ARTHUR PAPKE.

Charge: Sale of milk from insanitary dairy.
In justice court, city of Houghton. April 17, 1916: Complaint made. Defendant entered a plea of guilty. Fined \$1 and costs.

CASE NO. 1542.

PEOPLE VS. LLOYD C. BROWN.

Charge: Sale of adulterated cream.
In justice court, city of Port Huron. April 24, 1916: Complaint made. May 5, 1916: Examination held. Bound over to circuit court for trial. Case pending.

CASE NO. 1543.

PEOPLE VS. JOHN MAYER.

Charge: Sale of adulterated milk.
In justice court, city of Monroe. April 24, 1916: Complaint made. Defendant entered a plea of guilty. Fined \$10 and costs.

CASE NO. 1544.

PEOPLE VS. JAKE CHRISTNER.

Charge: Sale of adulterated milk.
In justice court of Elkton. April 26, 1916: Complaint made. Defendant entered a plea of guilty. Fined \$10 and costs.

CASE NO. 1545.

PEOPLE VS. J. C. HEYN.

Charge: Failure to stamp sausage which contained cereal.
In recorder's court, city of Saginaw. May 5, 1916: Complaint made. May 6, 1916: Examination held. Bound over to circuit court for trial. May 29, 1916: Defendant entered a plea of guilty. Fined \$100.

CASE NO. 1546.

PEOPLE VS. JOS. PAWLISKI.

Charge: Sale of potatoes which were short weight.
In justice court of Calumet. May 5, 1916: Complaint made. Defendant entered a plea of guilty. Fined \$20 and costs.

STATE OF MICHIGAN.

CASE NO. 1547.

PEOPLE VS. F. L. ROSEBOURN.

Charge: Using excessive cereal in sausage.

In police court, city of Detroit. May 6, 1916: Complaint made. May 16, 1916: Examination held. Bound over to recorder's court for trial. June 23, 1916: Defendant entered a plea of guilty. Plea taken under advisement.

CASE NO. 1548.

PEOPLE VS. F. J. SMITH.

Charge: Delivering short weight.

In justice court, city of Sault Ste. Marie. June 3, 1916: Complaint made. Defendant entered a plea of guilty. Fined \$20 and costs.

CASE NO. 1549.

PEOPLE VS. WALTER J. KLEES.

Charge: Sale of colored bleomargarine.

In justice court, of Highland Park. June 6, 1916: Complaint made. Case pending.

CASE NO. 1550.

PEOPLE VS. HOMER W. CRAWFORD.

Charge: Sale of diseased meat.

In justice court, of Munising. June 28, 1916: Complaint made. Defendant entered a plea of guilty. Fined \$50 and costs.

CASE NO. 1551.

PEOPLE VS. EDWARD GOULD, AGENT FOR ARMOUR & CO.

Charge: Sale of infected pork.

In justice court, city of Battle Creek. June 21, 1916: Complaint made. July 21, 1916: Examination held. Bound over to circuit court for trial. Case pending.

FINANCIAL STATEMENT

FINANCIAL STATEMENT.

From July 1, 1915, to June 30, 1916.

Funds available July 1, 1915	\$35,000 00
Fees collected for registration of creameries, cheese factories, cream stations, etc.	5,005 00
Fees collected for concentrated feeding stuffs	460 00
Fees collected for milk dealers' licenses	2,024 00
Fees collected for ice cream manufacturers' licenses	1,865 00
Fees collected for commission merchants' licenses	1,840 00
Fees collected for carbonated beverage licenses	1,410 00
Fees collected for syrup and extract licenses	155 00
Miscellaneous	6 12
	\$47,765 12

DISBURSEMENTS.

James W. Helme, Commissioner, salary	\$2,000 00
Burr B. Lincoln, Deputy Commissioner, salary	1,500 00
F. L. Shannon, State Analyst, salary	2,000 00
M. J. Smith, Chief Clerk, salary	1,600 00
L. H. Van Wormer, Assistant Chemist, salary	13 04
Ida M. Harris, Clerk, salary	1,100 00
Pauline Phillips, Clerk, salary	940 00
Gladys Dame, Clerk, salary	940 00
E. H. Shuler, Clerk, salary	180 00
W. C. Geagley, Clerk, salary	1,100 00
Nan Childs, Clerk, salary	1,108 20
Iva Shuler, Clerk, salary	71 52
Waldo L. Scovill, Clerk, salary	925 00
H. D. Wendt, Clerk, salary	1,022 50
Lillian Pomeroy, Clerk, salary	940 00
Ruth Hoare, Clerk, salary	660 00
Irene Cole, Clerk, salary	128 00
Ruth Whitman, Clerk, salary	7 00
Charlotte Marshall, Clerk, salary	96 77
C. V. Jones, Regular Inspector, salary	1,000 00
John T. Rowe, Regular Inspector, salary	1,000 00
James E. Helber, Regular Inspector, salary	1,000 00
Wm. J. Mickel, Regular Inspector, salary	1,000 00
Russell E. Woodruff, Regular Inspector, salary	1,000 00
Chas. R. Webb, Regular Inspector, salary	1,000 00
F. M. Dillon, Regular Inspector, salary	750 00
Eugene P. Berry, Regular Inspector, salary	989 03
H. D. Wendt, Special Inspector, salary	159 00
John P. Fetz, Special Inspector, salary	864 00
Myra C. Wheelan, Special Inspector, salary	942 00
F. M. Dillon, Special Inspector, salary	237 00
Geo. H. Lannen, Special Inspector, salary	237 00
Thos. J. Kelly, Special Inspector, salary	942 00
O. M. Edson, Special Inspector, salary	705 00
E. J. Friar, Special Inspector, salary	18 00
A. A. Greer, Special Inspector, salary	54 00

STATE OF MICHIGAN.

Edmund Sauve, Special Inspector, salary.....	\$33 00
Theo. N. Eiler, Special Inspector, salary	195 00
Postage	1,425 10
Chemicals, laboratory supplies, etc.	1,241 23
General expense (see statement following)	11,740 71
By balance	4,901 02
	<hr/>
	\$47,765 12

*GENERAL EXPENSE INCLUDES.

James W. Helme, expenses	\$292 04
Burr B. Lincoln, expenses	466 64
F. L. Shannon, expenses	130 64
L. H. Van Wormer, expenses	17 40
M. J. Smith, expenses	10 95
E. H. Shuler, expenses	14 41
W. C. Geagley, expenses	183 87
W. L. Scovill, expenses	91 03
C. V. Jones, expenses	1,016 89
John T. Rowe, expenses	781 67
James E. Helber, expenses	752 22
Wm. J. Mickel, expenses	765 32
R. E. Woodruff, expenses	768 00
Chas. R. Webb, expenses	1,046 30
John P. Fetz, expenses	593 97
Myra C. Wheelan, expenses	154 03
F. M. Dillon, expenses	264 60
Geo. H. Lannen, expenses	99 00
Eugene P. Berry, expenses	198 50
Thos. J. Kelly, expenses	1,028 38
O. M. Edson, expenses	575 25
Fred G. Barnard, expenses	73 87
Theo. N. Eiler, expenses	99 87
Edwin J. Friar, expenses	7 38
A. A. Greer, expenses	65 05
Express	198 00
Message (telephone and telegraph)	298 11
Weights and measures	398 84
Miscellaneous	561 93
	<hr/>
	\$11,740 71

*This includes expenses for entire fiscal year, some of which was paid after July 1st but incurred previous to that date.

DRUG INSPECTION.

From July 1, 1915, to June 30, 1916.

Funds available July 1, 1915	\$6,000 00
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DISBURSEMENTS.

A. R. Todd, Drug Analyst, salary.....	\$1,624 40
M. A. Jones, Inspector, salary.....	1,000 00
Chas. A. Bugbee, Inspector, salary	1,000 00
A. R. Todd, expenses	210 54
Chas. A. Bugbee, expenses	982 30
M. A. Jones, expenses	825 94
By balance	356 82
	<hr/>
	\$6,000 00



LAWS AND DECISIONS

LAWS OF MICHIGAN.

RELATIVE TO

INSPECTION AND ADULTERATION OF FOODS AND DRUGS.

POWERS AND DUTIES OF THE COMMISSION.

AN ACT to provide for the appointment of a Dairy and Food Commissioner, and to define his powers and duties and fix his compensation.

(Act No. 211, Public Acts, 1893.)

The People of the State of Michigan enact:

1. (C. L., 4973) SECTION 1. That within thirty days after this act shall take effect, the Governor by and with the consent of the Senate, shall appoint a suitable person to be Dairy and Food Commissioner, which office is hereby created, and which commissioner so appointed shall hold his office until the first day of January, one thousand eight hundred and ninety-five and until his successor is appointed and qualified. At the next regular session of the legislature and every two years thereafter, the Governor, by and with the advice and consent of the Senate, shall appoint a Dairy and Food Commissioner, who shall hold his office for the term of two years from the first day of January in the year of his appointment and until his successor is appointed and qualified.

2. (C. L., 4974) SEC. 2. The governor shall have power to remove such commissioner at any time in his discretion; but the reasons for such removal shall be laid before the Senate at the next regular or special session of the legislature thereafter, and in case of a vacancy in the office of commissioner from any cause, the Governor may appoint another person to fill the same.

3. (C. L., 4975) SEC. 3. Before entering upon the duties of his office, the person so appointed shall make, subscribe, and file in the office of the Secretary of State, an oath of office in the form prescribed by section one of article eighteen of the constitution of this State, and shall enter into bonds with the people of the State of Michigan in the sum of ten thousand dollars, with sureties to be approved by the Governor, conditioned for the faithful performance of his duties.

4. (C. L., 4976) SEC. 4. Said commissioner shall receive an annual salary of two thousand dollars. The said commissioner is hereby authorized and empowered, by and with the advice and consent of the governor, to appoint a deputy commissioner. The salary of the deputy com-

missioner shall be fifteen hundred dollars per annum. The said commissioner may also appoint eight regular inspectors, who shall receive an annual salary not to exceed one thousand dollars per year, and such other special inspectors as the proper performance of the duties of the office may require, which special inspectors shall be paid not to exceed three dollars per day for the time actually employed: Provided, That the whole sum paid to such special inspectors shall not exceed the income to said department derived from registration fees provided by law. The persons so appointed shall have power to administer oaths in all matters relative to the dairy and food laws and shall take and subscribe the constitutional oath of office and file the same in the office of the secretary of state; and they shall hold office during the pleasure of the commissioner. The inspectors shall have the same right of access to the places to be inspected as the said commissioner or his deputy. The commissioner shall appoint such clerks as he may deem necessary for the transaction of the business of his office. The salaries and expenses authorized by this section shall be for the unexpired part of the fiscal year ending June thirty, nineteen hundred five, and each fiscal year thereafter. Said salaries are to be paid monthly on the warrant of the auditor general. The actual and necessary expenses of the commissioner, deputy and inspectors, in the performance of their official duties, shall be audited by the state board of auditors and paid upon the warrant of the auditor general. Such compensation and expenses shall be certified, audited and paid in the same manner as salaries and expenses paid similar officers. The deputy commissioner and regular inspectors shall enter into bonds with the people of the state of Michigan in the sum of one thousand dollars each, with sureties to be approved by the commissioner, conditioned for the faithful performance of their respective duties. The board of state auditors shall provide office room, and the necessary furniture and fixtures and the necessary stationery, supplies and printing for the conducting of the business of said commissioner, on his application to said board therefor. Said office shall be and remain in the city of Lansing.

[Am. by Act No. 245, P. A. 1895. Am. by Act No. 154, P. A. 1897. Am. by Act No. 186, P. A. 1901. Am. by Act No. 230, P. A. 1903. Am. by Act No. 12, P. A. 1905. Am. by Act No. 18, P. A. 1913.]

5. (C. L., 4977) SEC. 5. The commissioner, by and with the consent of the Governor, shall appoint a suitable and competent person as State Analyst, who shall be a practical analytical chemist. The commissioner, in like manner, may appoint an assistant chemist. Before entering upon the duties of their offices, the analyst and assistant chemist shall take, subscribe and file in the office of the Secretary of State the constitutional oath of office. Their term of office shall continue during the pleasure of the commissioner. The Board of State Auditors shall provide a room in connection with the Dairy and Food Commissioner for the laboratory of the State Analyst and his assistant, and the necessary furniture and fixtures therefor. In case of the absence or inability of the State analyst or his assistant to perform his duty, the commissioner may appoint some competent person to perform the same temporarily, which person shall take, subscribe and file the constitutional oath of office. The salaries and expenses authorized by this section shall be for the unexpired part

of the fiscal year ending June thirty, nineteen hundred five, and each fiscal year thereafter, said salaries to be payable monthly on the warrant of the Auditor General. The salary of the chemist shall be not to exceed two thousand dollars; the salary of the assistant chemist shall be not to exceed twelve hundred dollars. The actual and necessary expenses of the chemist and the assistant chemist, in the performance of their official duties, shall be audited by the Board of State Auditors, and paid upon the warrant of the Auditor General. Such an amount as is found to be necessary in the proper performance of the work of the analyst may be expended for chemical supplies. Such compensations, expenses and supplies shall be certified, audited and paid in the same manner as the salaries, expenses and supplies of similar officers.

[Am. by Act No. 245, P. A. 1895. Am. by Act. No. 154, P. A. 1897. Am. by Act No. 186, P. A. 1901. Am. by Act No. 230, P. A. 1903. Am. by Act No. 12, P. A. 1905.]

6. (C. L., 4978) SEC. 6. It shall be the duty of the Dairy and Food Commissioner to carefully inquire into the dairy and food and drink products and the several articles which are foods or drinks, or the necessary constituents of foods or drink, which are manufactured or sold or exposed or offered for sale in this State, and he may, in a lawful manner, procure samples of the same and direct the State Analyst to make due and careful examination of the same, and report to the commissioner, the result of the analysis of all and any of such food and drink products or dairy products as are adulterated, impure or wholesome in contravention of the laws of this State; and it shall be the duty of the commissioner to make a complaint against the manufacturer or vendor thereof in the proper county and furnish all evidence thereof, to obtain a conviction of the offense charged. The Dairy and Food Commissioner, or his deputy, or any person appointed by him for that purpose may make complaint and cause proceedings to be commenced against any person for the enforcement of any of the laws relative to adulterated, impure or unwholesome food or drink, and in such case he shall not be obliged to furnish security for costs and shall have power, in the performance of his duties, to enter into any creamery, factory, store, salesroom, drug store, laboratory, or place where he has reason to believe food or drink is made, stored, sold or offered for sale and open any cask, tub, jar, bottle or package containing, or supposed to contain, any article of food or drink and examine or cause to be examined the contents thereof, and take therefrom samples for analysis. The person making such inspection shall take such sample of such article or product in the presence of at least one witness, and he shall in the presence of said witness, mark or seal such sample and shall tender at the time of taking to the manufacturer or vendor of such product, or to the person having the custody of the same, the value thereof, and a statement in writing for the taking of such sample. Whenever it is determined by the Dairy and Food Commissioner, his deputy or inspectors, that filthy, or unsanitary conditions exist or are permitted to exist in the operation of any bakery, confectionery, or ice cream plant, or in any place where any food or drink products are manufactured, stored, deposited or sold for any purpose whatever, the proprietor or proprietors, owner or owners, of such

bakery, confectionery or ice cream plant, or any person or persons, owning or operating any plant where any food or drink products are manufactured, stored, deposited or sold, shall be first notified and warned by the commissioner, his deputy or inspectors to place such bakery, confectionery or ice cream plant, or any place where any food or drink products are manufactured, stored, deposited or sold in a sanitary condition within a reasonable length of time; and any person or persons owning and operating any bakery, confectionery or ice cream plant or any place where any food or drink products are manufactured, stored, deposited or sold, failing to obey such notice and warning, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than twenty-five dollars nor more than three hundred dollars and costs of prosecution, or imprisonment in the county jail not to exceed ninety days, or until such fine and costs are paid, or both fine and imprisonment at the discretion of the court.

[Am. by Act No. 245, P. A. 1895. Am. by Act No. 154, P. A. 1897. Am. by Act No. 268, P. A. 1899. Am. by Act No. 12, P. A. 1905.]

7. (C. L., 4979) SEC. 7. The commissioner, his deputy or any person by said commissioner duly appointed for that purpose, is authorized at all times to seize and take possession of any and all food and dairy products, substitutes therefor, or imitation thereof kept for sale, exposed for sale or held in possession or under the control of any person which in the opinion of the said commissioner or his deputy or such person by him duly appointed, shall be contrary to the provisions of this act or other laws which now exist or which may be hereafter enacted.

First, The person so making such seizure as aforesaid, shall take from such goods as seized a sample for the purpose of analysis and shall cause the remainder thereof to be boxed and sealed and shall leave the same in the possession of the person from whom they were seized, subject to such disposition as shall hereafter be made thereof according to the provisions of this act.

Second, The person so making such seizure, shall forward the sample so taken to the State Analyst for analysis, who shall make an analysis of the same and shall certify the results of such analysis, which certificate shall be prima facie evidence of the fact or facts therein certified to in any court where the same may be offered in evidence.

Third, If upon such analysis it shall appear that said food or dairy products are adulterated, substitutes or imitations within the meaning of this act, said commissioner, or his deputy or any person by him duly authorized may make complaint before any justice of the peace or police justice having jurisdiction in the city, village or township where such goods were seized, and thereupon said justice of the peace shall issue his summons to the person from whom said goods were seized, directing him to appear not less than six nor more than twelve days from the date of the issuing of said summons and show cause why said goods should not be condemned and disposed of. If the said person from whom said goods were seized cannot be found said summons shall be served upon the person then in possession of the goods. The said summons shall be served at least six days before the time of appearance mentioned therein. If the person from whom said goods were seized cannot be found, and no one can be found in possession of said goods, and the defendants shall

not appear on the return day, then said justice of the peace shall proceed in said cause in the same manner provided by law where a writ of attachment is returned not personally served upon any of the defendants and none of the defendants shall appear upon the return day.

Fourth, Unless cause to the contrary thereof is shown, or if said goods shall be found upon trial to be in violation of any of the provisions of this act or other laws which now exist or which may be hereafter enacted, it shall be the duty of said justice of the peace or police justice to render judgment that said seized property be forfeited to the State of Michigan, and that the said goods be destroyed or sold by the said commissioner for any purpose other than to be used for food. The mode of procedure before said justice shall be the same, as near as may be as in civil proceedings before justices of the peace. Either parties may appeal to the circuit court as appeals are taken from justices courts, but it shall not be necessary for the people to give any appeal bond.

Fifth, The proceeds arising from any such sale shall be paid into the State treasury and credited to the general fund: Provided, That if the owner or party claiming the property or goods so declared forfeited can produce and prove a written guarantee of purity, signed by the wholesaler, jobber, manufacturer or other party from whom said articles were purchased, then the proceeds of the sale of such articles, over and above the cost of seizure, forfeiture, and sale, shall be paid over to such owner or claimant to reimburse him, to the extent of such surplus, for his actual loss resulting from such seizure and forfeiture, as shown by the invoice.

Sixth, It shall be the duty of each prosecuting attorney when called upon by said commissioners or by any person by him authorized as aforesaid, to render any legal assistance in his power in proceedings under the provisions of this act, or any subsequent act relative to the adulteration of food, for the sale of impure or unwholesome food or food products.

[Am. by Act No. 245, P. A. 1895. Am. by Act No. 268, P. A. 1899. Am. by Act No. 230, P. A. 1903.]

8. (C. L., 4980) SEC. 8. It shall be unlawful for the State Analyst, while he holds his office to furnish to any individual, firm or corporation, any certificate as to the purity or excellence of any article manufactured or sold by them to be used as food or in the preparation of food.

9. (C. L., 4981) SEC. 9. The commissioner shall make an annual report to the Governor on or before the first day of July in each year, and which shall be printed and published on or before the first day of September next thereafter, which report shall cover the doings of his office for the preceding fiscal year, which shall show, among other things, the number of manufactories and other places inspected and by whom, the number of specimens of food articles analyzed, and the State Analyst's reports upon each one; the number of complaints entered against persons for violation of the laws relative to the adulteration of food, the number of convictions had, and the amount of fines imposed therefor, together with such recommendations relative to the statutes in force as his experience may justify. The commissioner shall also prepare, print and distribute to all the papers of the State, and to such persons as may be interested or may apply therefor, a monthly bulletin,

in suitable paper covers, containing results of inspections, the results of analyses made by the State Analyst, with popular explanation of the same, and such other information as may come to him in his official capacity relating to the adulteration of food and drink products and of dairy products, so far as he may deem the same of benefit and advantage to the public; also a brief summary of all the work done during the month by the commissioner and his assistants in the enforcement of the laws of the State, but not more than ten thousand copies of each such monthly bulletin shall be printed.

[Am. by Act No. 245, P. A. 1895. Am. by Act No. 154, P. A. 1897. Am. by Act No. 268, P. A. 1899.]

10. (C. L., 4982) SEC. 10. Any person who shall wilfully hinder or obstruct the Dairy and Food Commissioner, or his deputy or other person or inspector by him duly authorized, in the exercise of the powers conferred upon him by this act, shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine of not less than ten dollars nor more than one hundred dollars, or by imprisonment in the county jail for not less than ten days nor more than ninety days, or both such fine and imprisonment in the discretion of the court.

[Added by Act No. 245, P. A. 1895.]

11. (C. L., 4983) SEC. 11. The sum of thirty-five thousand dollars is hereby appropriated for the fiscal year ending June 30, nineteen hundred six, and for each fiscal year thereafter, there is hereby appropriated the sum of thirty-five thousand dollars. Out of the amounts appropriated by this act shall be paid all salaries and expenses and chemical supplies provided for therein: Provided, That all expenses for stationery and printing shall be audited and paid in the same manner as other State printing and stationery.

[Added by Act No. 245, P. A. 1895. Am. by Act No. 154, P. A. 1897. Am. by Act No. 268, P. A. 1899. Am. by Act No. 186, P. A. 1901. Am. by Act No. 12, P. A. 1905.]

12. (C. L., 4984) SEC. 12. The Auditor General is hereby directed to annually add to and incorporate into the State tax, to be levied each year, the sum of thirty-five thousand dollars, which, when collected, shall be credited to the general fund to reimburse the same for the money appropriated by this act.

[Added by Act No. 245, P. A. 1895. Am. by Act No. 154, P. A. 1897. Am. by Act No. 268, P. A. 1899. Am. by Act No. 186, P. A. 1901. Am. by Act No. 230, P. A. 1903. Am. by Act No. 12, P. A. 1905.]

13. SEC. 13. It shall also be the duty of the Dairy and Food Commissioner to foster and encourage the dairy industry of the State, and, for that purpose, he shall investigate the general conditions of the creameries, cheese factories, condensed milk factories, skimming stations, milk stations and farm dairies in this State with full power to enter upon any premises for such investigation, with the object in view of improving the quality and creating and maintaining uniformity of the dairy products of the State; and should it become necessary, in the judgment of

the Dairy and Food Commissioner, he may cause instruction to be given in any creamery, cheese factory, condensed milk factory, skimming station, milk station or farm dairy, or in any locality in this State, and in order to secure the proper feeding and care of cows, or the practical operation of any plant producing dairy products, and in order to secure such a uniform and standard quality of dairy products in this State, he shall furnish a sufficient number of competent inspectors, the appointment of whom is provided for in section four of this act, and they shall be duly qualified to act as such inspectors.

[Added by Act No. 12, P. A. 1905.]

14. SEC. 14. Whenever it is determined by the Dairy and Food Commissioner, his deputy or inspectors, that any person is using, selling or furnishing to any skimming station, creamery, cheese factory, condensed milk factory, milk depot, farm dairy, milk dealer, the retail trade or to any consumer of milk, any impure or unwholesome milk or cream, which impurity or unwholesomeness is caused by the unsanitary or filthy condition of the premises where cows are kept, or by the unsanitary or filthy care or handling of the cows, or from the use of unclean utensils, or from unwholesome food, or from any other cause, the person so using, selling or furnishing to any skimming station, creamery, cheese factory, condensed milk factory, milk depot, farm dairy, milk dealer, the retail trade, or to any consumer of milk, any such milk or cream, shall first be notified and warned by the commissioner, his deputy or inspectors not to use, sell, or furnish such milk or cream to such skimming station, creamery, cheese factory, condensed milk factory, milk depot, farm dairy, milk dealer, the retail trade, or to any consumer of milk, and any person failing to obey such notice and warning and continuing to use, sell or furnish to any skimming station, creamery, cheese factory, condensed milk factory, farm dairy, milk dealer or to the retail trade such impure or unwholesome milk or cream, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not less than ten dollars, nor more than fifty dollars, and costs of prosecution, or imprisonment in the county jail, not to exceed ninety days, or until such fine and costs are paid, or both fine and imprisonment at the discretion of the court.

[Added by Act No. 12, P. A. 1905.]

15. SEC. 15. Whenever it is determined by the Dairy and Food Commissioner, his deputy or inspectors, that unsanitary conditions exist or are permitted to exist in the operation of any skimming station, creamery, cheese factory, condensed milk factory, milk depot or farm dairy, the proprietor or proprietors, or manager of said skimming station, creamery, cheese factory, condensed milk factory or farm dairy, shall be first notified and warned by the commissioner, his deputy or inspectors to place such skimming station, creamery, cheese factory, condensed milk factory, milk depot or farm dairy in a sanitary condition, within a reasonable length of time; and any person or persons owning or operating such skimming station, creamery, cheese factory, condensed milk factory, milk depot or farm dairy, failing to obey such notice and warning, shall be guilty of a misdemeanor, and upon conviction thereof, shall

be punished by a fine of not less than twenty-five dollars, nor more than three hundred dollars, and costs of prosecution, or imprisonment in the county jail, not to exceed ninety days or until such fine and costs are paid, or both fine and imprisonment at the discretion of the court.

[Added by Act No. 12, P. A. 1905.]

16. SEC. 16. It shall be the duty of the proprietor or proprietors, (manager or managers), of every skimming station, creamery, cheese factory, condensed milk factory or milk or cream depot in the State where milk or cream is received by purchase or otherwise from three or more persons within thirty days after the commencement of the operation of said cheese factory, condensed milk factory or milk or cream depot and annually on the first day of April thereafter to register with the Dairy and Food Commissioner upon blanks furnished by said official, the location of such skimming station, creamery, cheese factory, condensed milk factory or milk or cream depot, and the name of its owner or owners and manager. And it shall be the duty of the proprietor or proprietors or manager of every skimming station, creamery, cheese factory, condensed milk factory or milk or cream depot in this State, where milk or cream is received by purchase or otherwise from three or more persons, to file a report with the Dairy and Food Commissioner, said report to be made on or before April first of each year, upon blanks furnished by said official, and to show the amount of milk or cream received by said skimming station, creamery, cheese factory, condensed milk factory or milk or cream depot during the year ending December 31 preceding; and said report shall show the amount of butter, cheese or condensed milk manufactured during the year, together with a list of the names and postoffice addresses of the patrons of said skimming station, creamery, cheese factory, condensed milk factory or milk or cream depot. Every skimming station, creamery, cheese factory, condensed milk factory or milk or cream depot, so registering and so reporting, shall pay to the office of the State Dairy and Food Commissioner an annual registration fee of five dollars, to be paid at the time of such registration. Whoever violates any of the provisions of this section, shall be deemed guilty of a misdemeanor, and for each and every offense shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars and the costs of prosecution, or by imprisonment in the county jail for not more than thirty days or both. The money so collected by the Dairy and Food Commission shall be paid into the State Treasury and be used to help defray the expenses of the office of the Dairy and Food Commissioner, in addition to the annual appropriation therefor.

[Added by Act No. 12, P. A. 1905. Am. by Act No. 242, P. A. 1913.]

17. SEC. 17. Any person, persons or corporation who shall sell milk or cream from a wagon or other conveyance, depot or store, or who shall sell or deliver milk or cream to a hotel, restaurant, boarding house or any public place, shall be considered a milk dealer; and every milk dealer who shall sell milk or cream from a wagon or other conveyance, depot or store, or who shall sell, or deliver milk or cream to a hotel, restaurant, boarding house or any public place in any city, town or vil-

lage of this State, must first obtain a license from the Dairy and Food Commissioner to sell such milk or cream. A license shall be required for each wagon or other conveyance, depot or store. Each dealer shall pay to the Dairy and Food Commissioner a license fee of one dollar for each license so granted, which license must be obtained on or before the first day of July of each year. The moneys received by the Dairy and Food Commissioner, in payment of such licenses, shall be paid into the State Treasury and be used to help defray the expense of the office of the Dairy and Food Commissioner in addition to the annual appropriation. All licenses shall be used only in the name of the owner of the wagon, depot or store, and shall, for the purpose of this act, be prima facie evidence of ownership. No license shall be sold, assigned or transferred. Each license shall record the name, residence, place of business, number of wagons, depots or stores used (where more than one is employed) and the number of the license. Whoever violates any of the provisions of this section, insofar as relates to registration and the securing of licenses, shall be deemed guilty of a misdemeanor, and for each and every offense shall be punished by a fine not less than five dollars, nor more than twenty-five dollars and the cost of prosecution, or by imprisonment in the county jail for not more than thirty days, or both.

[Added by Act No. 12, P. A. 1905.]

18. SEC. 18. Repealed by Act No. 135, P. A. 1915.

19. SEC. 19. The published annual report of the Dairy and Food Commissioner which shall be made to the Governor, shall include a complete accounting of all moneys received by the department from every source, and the amount expended by the department.

[Added by Act No. 12, P. A. 1905.]

20. SEC. 20. All acts and parts of acts inconsistent with this act so far as they are inconsistent are hereby repealed.

This act is ordered to take immediate effect.

[Added by Act No. 12, P. A. 1905.]

(Act No. 167, Public Acts, 1899.)

AN ACT in relation to the powers and duties of the Dairy and Food Commissioner of the State of Michigan.

The People of the State of Michigan enact:

21. SECTION 1. That any person who shall obstruct the Dairy and Food Commissioner, or his deputy, or any of his duly appointed inspectors, by refusing to allow him entrance to any place where he is authorized to enter in the discharge of his official duty, or refuses to deliver to him a sufficient sample for the analysis of any article of food or drink sold, offered or exposed for sale, or in his possession for the pur-

pose of sale, wherever the same may be found, when the same is requested and when the value thereof is tendered, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars and the costs of prosecution, or by imprisonment in the county jail not less than ten days or more than ninety days, or by both such fine and imprisonment in the discretion of the court, for each and every offense.

This act is ordered to take immediate effect.

STANDARDS.

(Act No. 64, Public Acts, 1913.)

AN ACT to define and fix standards of purity for foods, beverages, condiments, confectionery and drugs in this state in prosecutions arising under the food, beverage and drug laws of the state of Michigan.

The People of the State of Michigan enact:

22. SECTION 1. In all prosecutions arising under the food and drug laws of this State for the manufacture or sale of an adulterated, misbranded or otherwise unlawful article of food, drink, condiment or drug, the latest standards of purity for food products, established by the United States secretary of agriculture shall be accepted as the legal standards, except in cases where other standards are specifically prescribed by the laws of this State.

GENERAL FOOD LAW.

(Act No. 193, Public Acts, 1895.)

AN ACT to prohibit and prevent adulteration, fraud and deception in the manufacture, and sale of articles of food and drink.

The People of the State of Michigan enact:

23. (C. L., 5010) SECTION 1. No person, firm or corporation by themselves or their agents or servants shall within this State, have in their possession with intent to sell, or offer or expose for sale, or sell any article of food which is adulterated or misbranded within the meaning of this act.

[Am. by Act No. 118, P. A. 1897. Am. by Act No. 162, P. A. 1913.]

24. (C. L., 5011) SEC. 2. The term food as used herein, shall include all articles used for food, drink, confectionery or condiment in-

tended to be eaten or drank by man or other animals, whether simple, mixed or compound.

[Am. by Act No. 162, P. A. 1913.]

25. (C. L., 5012) SEC. 3. An article shall be deemed to be adulterated within the meaning of this act:

First, If any substance or substances have been mixed with it so as to lower or depreciate or injuriously effect its quality, strength or purity;

Second, If any inferior or cheaper substance or substances have been substituted wholly or in part for it;

Third, If any valuable or necessary constituent or ingredient has been wholly or in part abstracted from it;

Fourth, If it consists wholly or in part of a diseased, decomposed, putrid, infected, tainted or rotten animal or vegetable substance or article, whether manufactured or not, or in the case of milk, if it is the product of a diseased animal.

Fifth, If it is colored, coated, polished, bleached or powdered whereby damage or inferiority is concealed, or if by any means it is made to appear better or of greater value than it really is;

Sixth, If it contains any added substance or ingredient which is poisonous or injurious to health: Provided, That nothing in this act shall prevent the coloring of pure butter.

SEC. 3 (a). An article shall be deemed to be misbranded within the meaning of this act:

First, If it is an imitation of or is offered for sale under the name of another article;

Second, If it is labeled or branded so as to deceive or mislead the purchaser, or purport to be a foreign product when not so, or if the contents of the package as originally put up shall have been removed in whole or in part and other contents shall have been placed in such package;

Third, If in package form every package, box, bottle, basket or other container does not bear the true net weight, excluding the wrapper or container, which shall be stated in terms of pounds, ounces and grains avoirdupois weight or the true net measure, which measure, in case of liquids, shall be in terms of gallons of two hundred and thirty-one cubic inches or fractions thereof, as quarts, pints and ounces or the true numerical count, as the case may be, expressed on the face of the principal label in plain English words or numerals, so that it can be plainly read: Provided, however, That reasonable variations shall be permitted and tolerances therefor and also exemptions as to small packages shall be established and promulgated by the Dairy and Food Commissioner: Provided, however, That no penalty of fine, imprisonment or confiscation shall be enforced for any violation of sub-divisions third of this section prior to September first, nineteen hundred fourteen, as to goods in the hands of wholesalers or retailers when this act takes effect or received prior to January one, nineteen hundred fourteen. The provisions of this subdivision shall not apply to beverages in glass containers;

Fourth, If the package containing it or its label shall bear any statement, design or device regarding the ingredients or the substances contained therein, which statement, design or device shall be false or mis-

leading in any particular: Provided, That the provisions of this act shall not apply to mixtures or compounds recognized as ordinary articles or ingredients of articles of food, if each and every package sold or offered for sale bear the name and address of the manufacturer or jobber or retail merchant with an established business, and be distinctly labeled under its own distinctive name, and in a manner so as to plainly and correctly show that it is a mixture or compound and is not in violation of any of the foregoing provisions of this act. Every article of food as defined in the statutes of this State shall be sold by weight, measure or numerical count and as now generally recognized by trade custom, except where the parties otherwise agree, and shall be labeled in accordance with the provisions of the food and beverage laws of this State. Only those products shall be sold by numerical count which cannot well be sold by weight or measure. All foods not liquid, if sold by measure, shall be sold by standard dry measure, the quart of which contains sixty-seven twenty one-hundredths cubic inches, providing that the provisions of this section shall not apply to fresh fruit and vegetables.

[Am. by Act No. 118, P. A. 1897. Am. by Act No. 162, P. A. 1913. Am. by Act No. 311, P. A. 1915.]

26. (C. L. 5013) SEC. 4. No person, by himself or his agents or servants, shall manufacture for sale or offer or expose for sale, or sell, as butter, and the legitimate product of the dairy or creamery, any article not made exclusively of milk or cream, but into which the oil or fat of animals, or any other oils not produced from milk, enters as a component part, has been introduced to take the place of cream. Whoever violates the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty nor more than five hundred dollars, and the costs of prosecution, or by imprisonment in the county jail, or the State House of Correction and Reformatory at Ionia for not less than ninety days nor more than two years, or by both such fine and imprisonment in the discretion of the court for each and every offense.

27. SEC. 5. No person shall manufacture, deal in, sell, offer or expose for sale or exchange, any article or substance in the semblance of, or in imitation of cheese made exclusively of unadulterated milk or cream, or both, into which any animal, intestinal or offal fats or oils or melted butter in any condition or state, or modification of the same, or oleaginous substances of any kind not produced from unadulterated milk or cream shall have been introduced. All cheese manufactured or sold within this State shall be divided into two grades, to be known as "full cream cheese" and "skimmed milk cheese." All full cream cheese shall contain in water free substance not less than thirty percentum of milk fat, as may appear upon proper test, and all cheese containing less than thirty per centum of milk fat shall be known and branded as "skimmed milk cheese": Provided, That the provisions of this act shall not be construed to apply to such cheese as is known as "fancy cheese" and is under five pounds in weight each, nor to what is known as "Swiss cheese," "brick cheese," "Dutch cheese" or "cottage cheese," and does not contain anything injurious to health.

[Am. by Act No. 73, P. A. 1913.]

28. SEC. 6. Every manufacturer of full cream cheese may put a brand upon each cheese, indicating "full cream cheese," and no person shall use such a brand upon any cheese made from milk from which any of the cream has been taken. Every manufacturer of imitation cheese, as defined by this act, shall put a brand upon each cheese so manufactured indicating "skimmed milk cheese," which brand shall be in plain Roman letters, not less than one-half inch in length, and so made, placed or attached that it can easily be seen and read and cannot be easily defaced, and the same shall be placed upon the cloth surrounding such cheese, as well as upon the container thereof.

[Am. by Act No. 118, P. A. 1897. Am. by Act No. 73, P. A. 1913.]

29. SEC. 7. The Dairy and Food Commissioner shall procure and issue to the cheese manufacturers of the State, on proper application, which application shall be made on or before the first day of April in each year, and under such regulation as to the custody and use thereof as he may prescribe, a uniform stencil brand, bearing a suitable device or motto and the words "Michigan full cream cheese," or "Michigan skimmed milk cheese." Every such brand shall be used on the outside of the cheese, and upon the package containing the same, and shall bear a separate number for each separate factory. The said commissioner shall keep a book in which shall be registered the name, location and number of each manufactory using the brand, and the name or names of persons at each factory authorized to use the same. The commissioner shall receive a fee of one dollar for each registration, said fee to be paid by the party applying for the same, which amount shall be accounted for and used as a part of the fund appropriated for the enforcement of the laws of this State with which the Dairy and Food Commissioner is charged. No person shall knowingly offer, sell or expose for sale, in any package, cheese which is falsely branded or labeled. Whoever shall violate the provisions of sections five, six seven or eight of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty nor more than five hundred dollars and the costs of prosecution, or by imprisonment in the county jail or the Michigan Reformatory at Ionia for not less than ninety days nor more than two years or by both such fine and imprisonment in the discretion of the court for each and every offense.

[Am. by Act No. 73, P. A. 1913.]

30. SEC. 8. The proprietor or keeper of any hotel, restaurant, eating saloon, boarding house or other place where imitation cheese is sold or furnished to persons paying for the same, shall have placed on the walls of every store or room where imitation cheese is sold or furnished, a white placard on which is printed in black ink, in plain Roman letters of not less than three inches in length, and not less than two inches in width, the words "Skimmed Milk Cheese Sold or Used Here," and shall at all times keep the same exposed in such conspicuous place as to be readily seen by any and all persons entering such store, or other room or rooms, and any person or persons violating this section shall be deemed guilty of a misdemeanor, and punished as provided in section seven of this act.

[Am. by Act No. 73, P. A. 1913.]

31. (C. L., 5018) SEC. 9. No person shall within this State manufacture for sale, have in his possession with intent to sell, offer or expose for sale, or sell as lard, any substance not the legitimate and exclusive product of the fat of the hog.

32. (C. L. 5019) SEC. 10. Every person who manufactures for sale, has in his possession with intent to sell, offers or exposes for sale, or sells, any substance made in the semblance of lard, or as an imitation of lard, and which consists of any mixture or compound of animal or vegetable oils or fats other than hog fat, in the form of lard, shall cause the tierce, barrel, tub, pail or package containing the same to be distinctly and legibly branded or labeled "Lard substitute or compound," and every person who manufactures for sale, has in his possession with intent to sell, offers or exposes for sale or sells, any substance made in the semblance of lard or as an imitation of lard, or as a substitute for lard, and which is designed to take the place of lard, and which consists of any mixture or compound of lard with animal or vegetable oils or fats, shall cause the tierce, barrel, tub, pail or package containing the same to be distinctly and legibly branded or labeled either "Adulterated lard," "Lard compound," or "Lard substitute." Such brands or labels shall be in letters not less than one inch in length and shall be followed with the name of the maker and factory, and the location of such factory.

33. (C. L., 5020) SEC. 11. Every dealer or trader who, by himself or agent, or as the servant or agent of another person, offers or exposes for sale, or sells any form of lard substitute or adulterated lard, as hereinbefore defined, shall securely affix or cause to be affixed to the package wherein the same is contained, offered for sale or sold, a label upon the outside and face of which is distinctly and legibly printed in letters not less than one-half inch in length, the words "Lard substitute" or "Adulterated lard" or "Lard compound" or other appropriate word which shall correctly express its nature and use.

34. (C. L., 5021) SEC. 12. The having in possession of any lard substitute or adulterated lard or lard compound, as hereinbefore defined, which is not branded or labeled as hereinbefore required and directed, upon the part of any dealer or trader, or any person engaged in the public sale of such articles, shall for the purpose of the act be deemed prima facie evidence of intent to sell the same.

35. (C. L., 5022) SEC. 13. No person, firm or corporation in this State shall manufacture for sale, or sell, or offer or expose for sale, as fruit jelly or fruit butter, any jelly or imitation fruit butter or other similar compound made or composed in whole or in part of glucose, dextrine, starch or other substances, and colored in imitation of fruit jelly or fruit butter; nor shall any such jelly, fruit butter or compound be manufactured or sold, or offered for sale, under any name or designation whatever, unless the same shall be composed entirely of ingredients not injurious to health, and shall not be colored in imitation of fruit jelly, and every can, pail or package of such jelly or butter sold in this State shall be distinctly and durably labeled "Imitation fruit jelly or butter," with the name of the manufacturer and the place where made. Whoever violates the provisions of this section shall be deemed guilty of a misdemeanor, and when convicted thereof shall be punished by a fine of not less than fifty nor more than five hundred dollars, or by imprisonment in the county jail or State House of Correction and Reforma-

tory at Ionia for not less than ninety days nor more than two years, or by both such fine and imprisonment in the discretion of the court.

36. (C. L., 5023) SEC. 14. No packer or dealer in preserved or canned fruits and vegetables, or other articles of food, shall sell or offer for sale such canned articles, unless such articles shall be entirely free from substances or ingredients deleterious to health, and unless such articles bear a mark, stamp, brand or label bearing the name and address of the firm, person or corporation that packs or distributes the same. All "soaked or bleached goods" or goods put up from products dried before canning, shall be plainly marked, branded, stamped or labeled as such, with the words "soaked or bleached goods," in letters not less than two-line pica in size, showing the name of the article and the name and address of the packer or distributor.

[Am. by Act. No. 226, P. A. 1915.]

37. (C. L., 5024) SEC. 15. No person shall manufacture or sell, or offer for sale any manufactured or artificial coffee berry in imitation of the genuine berry. No person shall manufacture, sell or offer or expose for sale any ground or prepared coffee, which is adulterated with chicory or other substance not injurious to health, unless each package thereof shall be distinctly labeled or marked "Coffee compound," together with the name and address of the manufacturer or compounder thereof, and has no other label of whatever name or designation. No person shall offer or expose for sale, have in his possession with intent to sell, or sell any molasses, syrup or glucose, unless the barrel, cask, keg, can or pail containing the same shall be distinctly branded or labeled with the true and appropriate name; nor shall any person offer or expose for sale, have in his possession with intent to sell, or sell any molasses or syrup mixed with glucose, unless the barrel, cask, keg or pail containing the same be distinctly branded or labeled "Glucose mixture," and the per cent in which glucose enters into its composition. Such barrel, cask, keg or pail shall be branded or labeled in a conspicuous place; and such brands or labels shall be in letters of not less than one-half inch in length. Glucose and glucose mixtures shall have no other designation than herein required.

[Am. by Act No. 118, P. A. 1897.]

38. (C. L., 5025) SEC. 16. No person shall within this State manufacture, brew, distill, have or offer for sale, or sell, any spirituous or fermented or malt liquors, containing any substance or ingredient not normal or healthful, to exist in spirituous, fermented or malt liquors, or which may be deleterious or detrimental to health when such liquors are used as a beverage.

39. (C. L., 5026) SEC. 17. The taking of orders or the making of agreements or contracts, by any person, firm or corporation, or by any agent or representative thereof, for the future delivery of any of the articles, products, goods, wares or merchandise embraced within the provisions of this act, shall be deemed a sale within the meaning of this act.

40 (C. L. 5027) SEC. 18. Whoever shall falsely brand, mark, stencil or label any article or product required by this act to be branded, marked,

stenciled, or labeled, or shall remove, alter, deface, mutilate, obliterate, imitate or counterfeit any brand, mark, stencil or label so required, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred nor more than one thousand dollars and the costs of prosecution, or by imprisonment in the county jail or State House of Correction and Reformatory at Ionia, for not less than six months nor more than three years, or by both such fine and imprisonment in the discretion of the court for each and every offense.

41. (C. L., 5028) SEC. 19. Whoever shall do any of the acts or things prohibited, or wilfully neglect or refuse to do any of the acts or things enjoined by this act, or in any way violate any of its provisions, shall be deemed guilty of a misdemeanor, and where no specific penalty is prescribed by this act shall be punished by a fine of not less than twenty-five nor more than five hundred dollars, or by imprisonment in the county jail for a period of not more than ninety days, or by both such fine and imprisonment, in the discretion of the court.

[Am. by Act No. 117, P. A. 1899.]

42. (C. L. 5029) SEC. 20. It shall be the duty of the Dairy and Food Commissioner of the State to investigate all complaints of violations of this act, and take all steps necessary to its enforcement. It shall be the duty of all prosecuting officers of this State to prosecute to completion all suits brought under the provisions of this act upon the complaint of the commissioner or of any citizen. It shall be the duty of all food inspectors in cities to examine all complaints made to them of violation of this act, and to render assistance in enforcing its provisions. It shall also be the duty of all health boards in cities and health officers in townships to take cognizance of and report or prosecute all violations of this act that may be brought to their notice, or they may have cognizance of, within their jurisdiction.

43. SEC. 21. All acts and parts of acts inconsistent with this act are hereby repealed.

BUCKWHEAT FLOUR.

(Act No. 208, Public Acts, 1903.)

AN ACT in relation to the manufacture and sale of buckwheat flour.

The People of the State of Michigan enact:

44. SECTION 1. Within this State no person shall manufacture, offer or expose for sale, keep in possession with intent to sell, or sell, any ground buckwheat containing any product of wheat, corn, rice or other foreign substance, unless each and every package thereof be distinctly and legibly branded or labeled "Buckwheat Flour Compound" in letters not less than one-half inch in length and be followed with the name of the maker and factory and the location of such factory.

45. SEC. 2. Any brand or label herein required shall be an inseparable part of the general or distinguishing label, and such label shall be that principal and conspicuous sign under which it is sold, and any other label or printed matter upon the package shall not be in contravention of the requirements of this act.

46. SEC. 3. The having in possession of any buckwheat flour compound, which is not branded or labeled as hereinbefore required and directed upon the part of any person engaged in the public or private sale of such article, shall, for the purpose of this act, be deemed prima facie evidence of intent to sell the same.

47. SEC. 4. The taking of orders or the making of agreements or contracts by any person, firm or corporation or by any agent or representative thereof, for the future delivery of buckwheat flour compound shall be deemed a sale within the meaning of this act.

48. SEC. 5. Whoever shall do any of the acts or things prohibited, or neglect or refuse to do any of the acts or things enjoined by this act, or in any way violate any of the provisions, shall be deemed guilty of a misdemeanor, and shall be punished by a fine not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment in the county jail for a period of not less than thirty nor more than ninety days, or by both such fine and imprisonment in the discretion of the court.

49. SEC. 6. Act number eighty-four of the Public Acts of eighteen hundred ninety-seven, entitled "An Act to prohibit and prevent adulteration, fraud and deception in the manufacture and sale of buckwheat flour," being section four thousand nine hundred ninety-four to five thousand two, both inclusive, of the Compiled Laws of one thousand eight hundred ninety-seven is hereby repealed.

VINEGAR.

(Act No. 384, Session Laws, 1913.)

AN ACT in relation to the manufacture and sale of vinegar, and to repeal act number seventy-one of the Public Acts of eighteen hundred ninety seven, being sections five thousand three to five thousand six inclusive of the Compiled Laws of eighteen hundred ninety-seven, and all other acts and parts of acts inconsistent with this act.

The People of the State of Michigan enact:

50. SECTION 1. No person shall manufacture for sale, offer or expose for sale, sell or deliver, or have in his possession with intent to sell or deliver, any vinegar not in compliance with the provisions of this act.

51. SEC. 2. The word "vinegar" as used herein is limited to a water solution of acetic acid derived by the alcoholic and subsequent acetous fermentations of fruits, grain, vegetables, sugar or syrups, and if not distilled must carry in solution the extractive matter derived solely from the substances indicated on the label as its source.

52. SEC. 3. No vinegar shall be sold or exposed for sale as apple or cider vinegar which is not the legitimate product of pure apple juice. The term "cider vinegar" as used herein shall be construed to mean vinegar derived by the alcoholic and subsequent acetous fermentation of the expressed juice of apples, the acidity, solids and ash of which have been derived exclusively from apples, and which contains not less than four per cent of absolute acetic acid. Cider vinegar which during the course of manufacture has developed in excess of four per cent acetic acid, may be reduced to a strength of not less than four per cent, and cider vinegar so reduced shall not be regarded as adulterated. Every manufacturer or producer of cider vinegar shall plainly brand on the head of the cask, barrel or keg or other container of such vinegar, his name, place of business and the words "fermented cider vinegar," and no person shall mark or brand as cider vinegar any package containing that which is not cider vinegar. Any vinegar sold or offered for sale shall be marked or branded plainly upon the package or container from which it is sold and also on the original package or container in which it is sold or delivered, in a manner to show its true character and source.

53. SEC. 4. All sugar vinegar sold or exposed for sale as such shall be strictly and distinctly fermented from sucrose, molasses or refiner's syrup.

54. SEC. 5. No vinegar shall be sold or exposed for sale as malt vinegar which is not fermented strictly and distinctly from barley malt, or cereals whose starch has been converted to malt.

55. SEC. 6. No vinegar shall be sold or exposed for sale in which foreign substances, drugs or acids shall have been introduced. No vinegar shall contain any artificial coloring matter, and all vinegar shall have an acidity of not less than four per cent by weight of absolute acetic acid. If vinegar contains any artificial matter, or less than the required amount of acidity, it shall be deemed to be adulterated.

56. SEC. 7. All vinegar made by fermentation and oxidation without the intervention of distillation, shall be branded "fermented" vinegar, with the name of the fruit or substance from which such vinegar has been made.

57. SEC. 8. All vinegar made by acetous fermentation of dilute distilled alcohol shall be branded "distilled" vinegar, together with the name of the substance or substances from which it is made, and all vinegar made wholly or in part from distilled vinegar shall be conspicuously labeled "distilled vinegar."

58. SEC. 9. Whoever violates any of the provisions of this act shall, upon conviction, be punished by a fine of not more than two hundred dollars or imprisonment in the county jail not to exceed six months or both such fine and imprisonment in the discretion of the court.

59. SEC. 10. Act number seventy-one of the Public Acts of eighteen hundred ninety-seven, being sections five thousand three to five thousand six of the Compiled Laws of eighteen hundred ninety-seven, and all other acts and parts of acts inconsistent with this act are hereby repealed.

MILK.

(Act No. 26, Public Acts, 1873.)

AN ACT to prevent and punish offenders for the adulteration of milk, and the products made therefrom, and to repeal an act entitled "An act to prevent the adulteration of milk and to prevent the traffic in impure and unwholesome milk," approved March thirty-first, eighteen hundred and seventy-one.

The People of the State of Michigan enact:

60. (C. L., 11411) SECTION 1. That whoever shall knowingly sell to any person or persons, or sell, deliver or bring to be manufactured to any cheese or butter manufactory in this State, any milk diluted with water, or in any way adulterated, or milk from which any cream has been taken, or milk commonly known as "skimmed milk," or shall keep back any part of the milk known as "strippings," with intent to defraud, or shall knowingly sell milk, the product of a sick or diseased animal or animals or any milk produced from any cow fed upon the refuse of a distillery, or of a brewery, or upon any substance deleterious to the quality of the milk, or shall knowingly use any poisonous or any deleterious material in the manufacture of any cheese or butter, or shall knowingly sell or offer to sell any cheese or butter, in the manufacture of which any poisonous or deleterious substance has been used, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined not less than ten dollars nor more than one hundred dollars, and may be committed to the county jail until such fine shall be paid: Provided, That such imprisonment shall not exceed ninety days; and shall be liable in double the amount of damages to the person or persons, firm, association, or corporation upon which such fraud shall have been committed. An act entitled "An act to prevent the adulteration of milk and to prevent the traffic in impure and unwholesome milk," approved March thirty-first, eighteen hundred and seventy-one, is hereby repealed: Provided, That any right accrued or forfeiture incurred under said act, shall remain valid and binding, and may be enforced under said act as if the same were not repealed.

(Act No. 246, Public Acts, 1887.)

AN ACT to prevent the sale of impure, unwholesome, adulterated, or swill milk in the State of Michigan, and to provide for inspectors.

The People of the State of Michigan enact:

61. (C. L., 11412) SECTION 1. That it shall be unlawful for any person, either by himself or agent, to sell or expose for sale within the State

of Michigan any unwholesome, watered, or adulterated or impure milk or swill milk or colostrum or milk from cows kept upon garbage, swill or any substance in a state of fermentation or putrefaction or other deleterious substances, or from cows kept in connection with any family in which there are infectious diseases. The addition of water or ice to milk is hereby declared an adulteration.

[Am. by Act No. 219, P. A. 1889.]

62. (C. L., 11413) SEC. 2. Any person who shall violate any of the provisions of the preceding section shall be punished by a fine not to exceed one hundred dollars or (by) imprisonment not to exceed three months or by both such fine and imprisonment in the discretion of the court.

63. (C. L., 11414) SEC. 3. It shall be the duty of the metropolitan police commissioners of the city of Detroit, by and with the consent and advice of the board of health of the city of Detroit, to appoint an inspector, who shall be a person of previous practical experience. Said inspector may be created captain, sergeant or roundsman of the said police force of the city of Detroit, at the option of the board of metropolitan police commissioners.

64. (C. L., 11415) SEC. 4. It shall be the duty of said inspector to personally view, so far as possible, all milk exposed for sale in said city, and to visit all dairy houses, barns or stables in said city or the county of Wayne, to inspect the same, and the animals held therein, and to visit all places where milk is kept or exposed for sale in the city of Detroit, and to inspect and ascertain the condition of said milk. He may detail any patrolman of said city to assist him in the performance of any or all of the duties enjoined on him by this act: Provided, always, That said inspector and any policeman so detailed shall always be subject to the provisions of the law establishing and governing the metropolitan police of said city.

65. (C. L., 11416) SEC. 5. It shall be the duty of said inspector or of his assistant, and of all other inspectors appointed under this act, to make complaint in writing before a police justice or justice of the peace, or other court having jurisdiction thereof, of every violation of this act coming to his knowledge.

[Am. by Act No. 219, P. A. 1889.]

66. (C. L., 11417) SEC. 6. Each and every quantity of milk sold or exposed for sale contrary to the provisions of this act, shall constitute a separate offense.

67. (C. L., 11418) SEC. 7. Any person who shall refuse to permit the said inspector, or his assistant (assistants) to perform his duty under this act, either by refusing him entrance to his premises or by concealing any milk, or refusing to permit any milk or animal or premises wherein animals are kept, to be viewed and inspected as herein provided, or by in any manner hindering or resisting any said inspector or assistant inspector in the performance of his duty, shall be guilty of a misdemeanor, and punished therefor.

68. (C. L., 11419) SEC. 8. Authority is hereby given the common council of any city, and the board of trustees or council of any village,

to appoint an inspector of milk in any such city or village, and to fix their compensation, and when appointed the said inspectors of milk shall have all the powers given by section four of this act, and shall perform all the duties required of inspectors of milk as provided herein, and such other powers and duties as may be conferred or imposed by the ordinances of said cities or villages.

69. (C. L., 11420) SEC. 9. Whoever shall adulterate by himself or by his servant or agent, or sell, exchange or deliver, or have in his custody or possession with intent to sell or exchange the same, or exposes or offers for sale or exchange, adulterated milk or milk to which water or any foreign (substance) substances in any state of fermentation or putrefaction, or from sick or diseased cows, shall be guilty of a misdemeanor, and shall, for every such offense, be punished by a fine not exceeding one hundred dollars or by imprisonment in the county jail or the State House of Correction and Reformatory at Ionia not exceeding three months.

[Added by Act No. 219, P. A. 1889.]

70. (C. L., 11421) SEC. 10. Whoever shall adulterate, himself or by his servant or agent, sell, exchange or deliver, or have in his custody or possession with intent to sell or exchange the same, or exposes or offers for sale as pure milk, any skimmed milk from which the cream or any part thereof has been removed shall be guilty of a misdemeanor, and shall for such offense, be punished by the penalty provided in the preceding section.

[Added by Act No. 219, P. A. 1889.]

71. (C. L., 11422) SEC. 11. Any dealer in milk who shall by himself, servant or agent, sell, exchange or deliver, or have in his custody or possession with intent to sell, exchange or deliver the same, milk from which the cream or any part thereof has been removed, unless in a conspicuous place above the center upon the outside of every vessel, can or package from which any such milk is sold, the words "Skimmed milk" are distinctly painted in letters not less than one inch in length, shall be guilty of a misdemeanor and shall be punished by a fine not exceeding one hundred dollars or by imprisonment in the county jail or Detroit House of Correction not exceeding three months.

[Added by Act No. 219, P. A. 1889.]

72. (C. L., 11423) SEC. 12. If milk sold or offered for sale under the provisions of this act as pure milk, is shown upon analysis by weight to contain more than eighty-seven and fifty one-hundredths per centum of watery fluid, or to contain less than twelve and fifty one-hundredths of milk solids per centum, or less fat than three per centum, or if the specific gravity at 60 degrees Fahrenheit is not between 1.29-1000 to 1.33-1000, it shall be deemed to be adulterated. If milk sold or offered for sale under the provisions of this act as skimmed milk has a specific gravity at 60 degrees Fahrenheit less than 1.032 and greater than 1.037, it shall be deemed to be adulterated.

[Added by Act No. 219, P. A. 1889.]

73. (C. L., 11424) SEC. 13. Whenever any inspector of milk has reason to believe that any milk found by him is adulterated, he shall take specimens thereof and test the same with such instrument or instruments as are used for such purposes, and he shall make an analysis thereof, showing total solids, the percentage of butter, the percentage of water and the percentage of ash; and if the result of such test and analysis indicates that the milk has been adulterated or deprived of its cream or any part thereof, the same shall be prima facie evidence of such adulteration in a prosecution under this act.

[Added by Act No. 219, P. A. 1889.]

74. (C. L., 11425) SEC. 14. Any person who shall remove the cream or any part thereof from milk to be sold as pure milk to any manufactory in which milk is used as a material in the process of production, and any person who shall, in any manner, adulterate such milk, either by the addition of water or otherwise, shall be guilty of a misdemeanor, and shall, for every such offense be punished by a fine not exceeding one hundred dollars, or by imprisonment in the county jail or Detroit House of Correction not exceeding ninety days.

[Added by Act No. 219, P. A. 1889.]

(Act No. 106, Public Acts, 1899.)

AN ACT in relation to the sale and delivery of milk.

The People of the State of Michigan enact:

75. SECTION 1. No person shall offer or expose for sale, sell, exchange or deliver or have in his possession with intent to sell, exchange or deliver, any milk to which water, chemicals or preservatives, or any other foreign substance has been added. The term milk as used in this act shall include all skimmed milk, buttermilk, cream and milk in its natural state as drawn from the cow.

76. SEC. 2. Whoever shall do any of the acts or things prohibited, or neglects or refuses to do any of the acts or things enjoined by this act, or in any way violates any of its provisions, shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than one dollar nor more than one hundred dollars and the costs of prosecution, or by imprisonment in the county jail not more than ninety days, or by both such fine and imprisonment in the discretion of the court.

This act is ordered to take immediate effect.

INSANITARY MILK AND CREAM.

(Act No. 222, Session Laws, 1913.)

AN ACT to prevent and punish the sale of unclean and insanitary cream and milk and the use thereof in the manufacture of food products and to prohibit unclean and insanitary conditions of creameries, cheese factories, ice cream factories and milk dealer's establishments or outfits and fixing standards of sanitary milk and cream, and to regulate the sale and transportation of the same.

The People of the State of Michigan enact:

77. SECTION 1. For the purpose of this act, the term "milk" shall mean the fresh, clean, lacteal secretion obtained by the complete milking of one or more healthy cows, properly fed and kept, excluding that obtained within eight days before and four days after calving, and contains not less than eight and one-half per cent of solids not fat, and not less than three per cent of milk fat; and the term "cream" shall mean that portion of milk, rich in milk fat, which rises to the surface of milk on standing, or is separated from it by centrifugal force, is fresh and clean, and contains not less than eighteen per cent of milk fat. Milk, which shall be drawn from cows that are kept in barns or stables which are not reasonably well lighted and ventilated, or that are kept in barns or stables that are filthy from an accumulation of animal feces and excreta or from any other cause, or milk which shall be drawn from cows which are themselves in a filthy condition; or milk kept or transported in dirty, rusty or opened-seamed cans or other utensils; or milk that is stale, putrescent, or putrid; or milk to which has been added any unclean, or unwholesome foreign substance; or milk which has been kept exposed to foul or noxious air or gases in barns occupied by animals, or kept exposed in dirty, foul or unclean places or conditions, is hereby declared to be insanitary milk. Cream produced from any such aforesaid insanitary milk; or cream produced by the use of a cream separator, which separator had not been thoroughly washed, cleansed and scalded after previous use in the separation of cream from milk; or cream produced by the use of a cream separator placed or stationed in any unclean or filthy room or place or in any building containing a stable wherein are kept cattle or other animals, unless such cream separator is so separated and shielded by a partition from the stable portion of such building as to be free from all foul or noxious air or gases which issue or may issue from such place or stable; or cream that is stale, putrescent, or putrid; or cream that is kept or transported in dirty, rusty or open-seamed cans or other utensils; or cream which has been kept exposed to foul or noxious air or gases in barns occupied by animals, or in dirty, foul or unclean places or conditions, is hereby declared to be insanitary cream.

78. SEC. 2. No person shall by himself, his servant or agent, or as

the servant or agent of any other person, or as the officer, servant or agent of any firm or corporation, sell or offer for sale, furnish or deliver, or have in possession or under his control with intent to sell or offer for sale, or furnish, or deliver to any person, firm or corporation as food for man, or to any creamery, cheese factory, milk condensing factory, or milk or cream dealer, any insanitary milk or any insanitary cream.

79. SEC. 3. No person shall by himself, his servant or agent, or as the servant or agent of any other person, or as the servant or agent of any firm or corporation, manufacture for sale any article of food for man from any insanitary milk or from any insanitary cream.

80. SEC. 4. All premises and utensils used in the handling of milk, cream, and by-products of milk, and all premises and utensils used in the preparation, manufacture, or sale, or offering for sale of any food product for man from milk or cream or the by-products of milk, which shall be kept in an unclean, filthy or noxious condition are hereby declared to be insanitary. It shall be unlawful for any person, firm, or corporation engaged in selling, or furnishing milk, cream, or any by-products of milk, intended for use as food for man; and it shall be unlawful for any person, firm or corporation engaged in selling or furnishing milk, cream, or any by-products of milk, to any creamery, cheese factory, milk condensing factory, or to any place where such milk, cream, or by-products of milk are manufactured or prepared into a food product for man, and for sale as such; and it shall be unlawful for any milk dealer, or an employe of such milk dealer, or any person, firm or corporation, or the employe of such person, firm, or corporation, who operates a creamery, cheese factory, milk condensing factory, or who manufactures or prepares for sale any article of food for man from milk, cream, or by-product of milk, or who manufactures, re-works, or packs butter for sale as a food product, to maintain his premises and utensils in an insanitary condition.

81. SEC. 5. Any person, firm or corporation, not a common carrier who receives from a common carrier in cans, bottles or other vessels any milk, or cream, ice cream or other dairy product intended as food for man, which has been transported over any railroad or boat line or by other common carrier, when such cans, bottles or vessels are to be returned, shall cause the said cans, bottles, or other vessels to be thoroughly washed and cleansed before return shipment.

82. SEC. 6. Any person who by himself, his servant or agent, or as the servant or agent of any other person, or as the officer, servant or agent of any firm or corporation, who violates any provision of this act shall, upon conviction thereof, be punished by a fine of not more than one hundred dollars for each and every offense, or shall be imprisoned in the county jail not more than sixty days.

CONDENSED MILK LAW.

(Act No. 176, Session Laws, 1913.)

AN ACT to regulate the sale of condensed milk, and to provide for the labeling thereof so as to prevent fraud and deception.

The People of the State of Michigan enact:

83. SECTION 1. Every container of evaporated, concentrated or condensed whole milk, and every container of evaporated, concentrated or condensed skimmed milk, sold or offered for sale or had in possession or custody with intent to sell by any person, firm or corporation within this State, shall have plainly printed thereon in the English language, or attached thereto on some firmly affixed tag or label, a formula for extending the said evaporated, concentrated or condensed milk and said evaporated, concentrated or condensed skimmed milk, respectively, with water. The formula for the extension of said evaporated, concentrated or condensed whole milk shall be such that the resulting milk product shall not be below the Michigan standard of milk solids or fat for whole milk, and shall be in the following form: By adding.....parts of water to one part of the contents of this can a resulting milk product will be obtained which will not be below the legal standard for whole milk. The formula for the extension of said evaporated, concentrated or condensed skimmed milk shall be such that the resulting milk product shall not be below the Michigan standard of milk solids for skimmed milk, and shall be in the following form: By adding.....parts of water to one part of the contents of this can a resulting milk product will be obtained which will not be below the legal standard for skimmed milk.

84. SEC. 2. Whoever, himself, or by his servant or agent, or as the servant or agent of any person, firm or corporation, sells, exchanges or delivers, or has in his custody or possession with intent to sell, exchange or deliver any container of evaporated, concentrated or condensed milk, within this State, not marked or labeled in compliance with the provisions of this act shall, for the offense, be punished by a fine of not more than one hundred dollars or by imprisonment for not less than three nor more than six months.

85. SEC. 3. The provisions of this act with reference to the labeling of containers of condensed, concentrated and evaporated skimmed milk shall take effect upon the first day of October, in the year nineteen hundred thirteen; the remaining provisions of this act shall take effect upon the first day of January in the year nineteen hundred fourteen.

OLEOMARGARINE.

(Act No. 63, Public Acts, 1913.)

AT ACT to regulate the manufacture, display, advertisement and sale of oleomargarine or imitation butter and to prevent fraud and deception therein and to provide penalties for violations thereof, and to repeal act number one hundred forty-seven of the Public Acts of eighteen hundred ninety-nine, entitled "An act in relation to the manufacture and sale of oleomargarine or imitation butter."

The People of the State of Michigan enact:

86. SECTION 1. No person shall sell, expose or offer for sale or exchange, or have in his possession with intent to sell or exchange, any oleomargarine or other substance made in imitation of butter, and which is intended to be used as a substitute for butter, unless each and every vessel, package, roll or parcel of such substance has distinctly and durably printed, stamped or stenciled thereon in black letters the true name of such substance, in ordinary bold faced capital letters, not less than five line pica in size; and also the name and address of the manufacturer, in ordinary bold faced letters, not less than pica in size.

87. SEC. 2. No person shall sell, exchange or deliver any oleomargarine or other substance made in imitation of butter, and which is intended to be used as a substitute for butter, unless he shall also deliver to the purchaser of each and every roll, package or parcel of such oleomargarine or other substance, at the time of the delivery of the same, a distinct label, on which is plainly and legibly printed in black ink in ordinary bold faced capital letters not less than five line pica in size, the true name of such substance and also the name and address of the manufacturer, in ordinary bold faced letters not less than pica in size.

[Am. by Act No. 116, P. A. 1915.]

88. SEC. 3. The proprietor or keeper of any store, hotel, restaurant, eating saloon, boarding house, or other place where oleomargarine is sold or furnished to persons paying for the same, shall have placed on the walls of every store or room where oleomargarine is sold or furnished a white placard on which is printed in black ink, in plain Roman letters of not less than three inches in length, and not less than two inches in width, the words "Oleomargarine sold or used here," and shall at all times keep the same exposed in such conspicuous place as to be readily seen by any and all persons entering such store, or other room or rooms.

89. SEC. 4. No person shall use in any way, in connection or association with the sale or exposure for sale or advertisement of any substance designed to be used as a substitute for butter, the word "butter," "creamery," or "dairy," or the name or representation of any breed of dairy cattle, or any combinations of such word or words and representa-

tion, or any other words or symbols or combination thereof commonly used in the sale of butter.

90. SEC. 5. For the purpose of this act the word "butter" shall be understood to mean the food product usually known as butter, and which is made exclusively from milk or cream, or both, with or without common salt, and with or without additional coloring matter.

91. SEC. 6. For the purpose of this act certain manufactured substances, certain extracts and certain mixtures and compounds, including such mixtures and compounds with butter, shall be known and designated as "oleomargarine," namely: All substances heretofore known as oleomargarine, oleo, oleomargarine oil, butterine, lardine, suine and neutral; all mixtures and compounds of oleomargarine, oleo, oleomargarine oil, butterine, lardine, suine and neutral; all lard extracts and tallow extracts; and all mixtures and compounds of tallow, beef fat, suet, lard, lard oil, vegetable oil, butterine, lardine, suine and neutral; all lard extracts and tallow extracts; and all mixtures and compounds of tallow, beef fat, suet, lard, lard oil, vegetable oil, intestinal fat, and offal fat, made in imitation or semblance of butter, or when so made, calculated or intended to be sold or used as butter or for butter.

92. SEC. 7. Whoever violates any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars, nor more than five hundred dollars, and the costs of prosecution, or by imprisonment in the county jail or State House of Correction and Reformatory at Ionia, for not less than six months nor more than three years, or by both such fine and imprisonment in the discretion of the court, for each and every offense. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

93. SEC. 8. Act number one hundred forty-seven of the Public Acts of eighteen hundred ninety-nine, is hereby repealed.

(Act No. 22, Public Acts, 1901.)

AN ACT to prevent deception in the manufacture and sale of imitation butter.

The People of the State of Michigan enact:

94. SECTION 1. No person, by himself or his agents, or servants, shall render or manufacture, sell, or offer for sale, expose for sale, or have in his possession with intent to sell, any article, product or compound made wholly or in part out of any fat, oil or oleaginous substance or compound thereof, not produced from unadulterated milk or cream from the same, which shall be in imitation of yellow butter produced from pure unadulterated milk or cream of the same: Provided, That nothing in this act shall be construed to prohibit the manufacture or sale of oleomargarine in a separate and distinct form, and in such manner as will advise the consumer of its real character, free from coloration or ingredient that causes it to look like butter.

95. SEC. 2. Whoever violates any of the provisions of section one of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars, and the costs of prosecution, or by imprisonment in the county jail or State House of Correction and Reformatory at Ionia for not less than six months nor more than three years, or by both such fine and imprisonment in the discretion of the court, for each and every offense.

RENOVATED BUTTER.

(Act No. 243, Public Acts, 1903, as amended.)

AN ACT in relation to the manufacture and sale of renovated butter..

The People of the State of Michigan enact:

96. SECTION 1. No person, firm or corporation shall manufacture for sale, offer or expose for sale, sell, exchange or deliver, or have in his possession with the intent to sell, exchange or deliver, any butter that is produced by taking original packing stock butter or other butter, or both, melting the same so that the butter fat can be drawn off or extracted, mixing the said butter fat with skimmed milk, or milk or cream, or other milk product, and rechurning or reworking the said mixture; nor shall any person, firm or corporation manufacture for sale, offer or expose for sale, sell, exchange or deliver, or have in his possession for any such purpose any butter which has been subjected to any process by which it is melted, clarified or refined, and made to resemble butter, and is commonly known as boiled, process or renovated butter, and which for the purpose of this act is hereby designated as "Renovated Butter," unless the same shall be branded or marked as provided in section two of this act.

97. SEC. 2. Whoever, himself or by his agent or as the servant or agent of another person, shall sell, expose for sale or have in his custody or possession with the intent to sell any renovated butter as defined in section one of this act, shall have the words "renovated butter" conspicuously stamped, labeled or marked in one or two lines and in plain Gothic letters, at least three-eighths of an inch square, so that the words cannot easily be defaced, upon two sides of each and every tub, firkin, box or package containing said renovated butter; or if such butter is exposed for sale uncovered, or not in a case or package, a placard containing said words in the same form as above described in this section shall be attached to the mass in such a manner as to be easily seen and read by the purchaser. When renovated butter is sold from such packages or otherwise at retail in print, roll or other form, before being delivered to the purchaser, it shall be wrapped in wrappers plainly stamped on the outside thereof with the words "renovated butter" printed or stamped thereon in one or two lines, and in plain Gothic let-

ters at least three-eighths of an inch square, and such wrappers shall contain no other words or printing thereon, and said words "renovated butter" so stamped or printed on the said wrapper shall not be in any manner concealed, but shall be in plain view of the purchaser at the time of the purchase. The proprietor or keeper of any hotel, restaurant, eating saloon, boarding house, or other place where renovated butter is furnished to persons paying for the same, shall have placed on the walls of every store or room where renovated butter is furnished, a white placard on which is printed in black ink, in plain Roman letters of not less than three inches in length, and not less than two inches in width, the words "renovated butter used here," and shall at all times keep the same exposed in such conspicuous place as to be readily seen by any and all persons entering such store, hotel, restaurant or other room or rooms.

[Am. by Act No. 119, P. A. 1909. Am. by Act No. 15, P. A. 1915.]

98. SEC. 3. Whoever shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars nor more than five hundred dollars, and the costs of prosecution, or by imprisonment in the county jail or Michigan Reformatory at Ionia, for not less than six months nor more than three years, or by both such fine and imprisonment, in the discretion of the court, for each and every offense.

99. SEC. 4. Act number two hundred fifty-four of the Public Acts of eighteen hundred ninety-nine, entitled "An act to regulate the sale of butter produced by taking original packing stock and other butter and melting the same so that the butter oil can be drawn off, mixed with skimmed milk or other material, and by emulsion or other process produce butter, and butter produced by any similar process and commonly known as "process" butter; providing for the enforcement thereof, and punishment for the violation of the same," is hereby repealed.

BUTTER AND CREAM STANDARDS.

(Act No. 244, Public Acts, 1913.)

AN ACT to regulate the sale of butter and cream in the State of Michigan, and to prescribe a penalty for the violation of this act.

The People of the State of Michigan enact:

100. SECTION 1. No person shall offer or expose for sale, have in his possession with intent to sell, or sell as butter any product which contains less than eighty per cent of milk fat, and which is not made exclusively from milk or cream, or both, with or without common salt and with or without additional coloring matter.

101. SEC. 2. No person shall offer or expose for sale, have in his possession with intent to sell, or sell as cream any product which con-

tains less than eighteen per cent of milk fat, and which is not that portion of milk, rich in milk fat, which rises to the surface of milk on standing, or is separated from it by centrifugal force, and which is not clean: Provided, That the provisions of this act shall not be deemed to apply to any person not a manufacturer or producer of butter and cream, who has bought the products mentioned in this act for resale, and when found to be under the standard prescribed by this act, shall furnish information from whom his products were received.

102. SEC. 3. Whoever shall do any of the acts or things prohibited or wilfully neglect or refuse to do any of the acts or things enjoined by this act, or in any way violate any of its provisions, shall be deemed guilty of a misdemeanor, and where no specific penalty is prescribed by this act shall be punished by a fine of not less than twenty-five nor more than one hundred dollars, or by imprisonment in the county jail for a period of not more than ninety days, or by both such fine and imprisonment in the discretion of the court.

CANDY.

(Act No. 207, Public Acts, 1911.)

AN ACT to prevent the adulteration of candies and to regulate the sale thereof.

The People of the State of Michigan enact:

103. SECTION 1. No person, firm or corporation shall manufacture for sale, offer or expose for sale, sell, exchange or deliver, or have in his possession with the intent to sell, exchange or deliver, any candies or confectioneries adulterated by the admixture of terra alba, barytes talc or other earthy or mineral substances, or any poisonous colors, flavors or extracts, or other deleterious ingredients detrimental to health.

104. SEC. 2. Whoever violates any of the provisions of section one of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than fifty dollars nor more than one thousand dollars and the costs of prosecution, or by imprisonment in the county jail or State House of Correction and Reformatory at Ionia for not less than six months nor more than three years, or by both such fine and imprisonment in the discretion of the court for each and every offense.

105. SEC. 3. All acts and parts of acts inconsistent with this act are hereby repealed.

PEPPER.

(Act No. 180, Public Acts, 1901.)

AN ACT to provide for the manufacture and sale of black pepper in this State and to provide a penalty for the violation of the provisions of this act.

The People of the State of Michigan enact:

106. SECTION 1. Within this State no person, firm or corporation shall manufacture, offer or expose for sale, keep in possession with intent to sell, or sell any ground or whole black pepper containing any foreign substance whatever. All black pepper shall contain not more than six and one-half per cent ash or mineral matter; and shall contain not less than twenty-five per cent starch as determined by the diastase method; and shall contain not less than six-tenths of one per cent nor more than one and three-fourths per cent volatile ether extract; and shall contain not more than ten per cent nor less than six and one-half per cent of non-volatile ether extract; and shall contain not more than sixteen per cent of crude fibre.

107. SEC. 2. Whoever shall do any of the acts or things prohibited or neglects or refuses to do any of the acts or things enjoined by this act, or in any way violates any of its provisions, shall be deemed guilty of a misdemeanor, and shall be punished by a fine not less than twenty-five dollars nor more than five hundred dollars and the costs of the prosecution, or by imprisonment in the county jail not more than ninety days, or by both such fine and imprisonment, in the discretion of the court.

CORN SYRUP.

(Act No. 123, Public Acts, 1903.)

AN ACT in relation to the sale of corn syrup.

The People of the State of Michigan enact:

108. SECTION 1. No person shall offer or expose for sale, have in his possession with intent to sell, or sell, any cane syrup, beet syrup, or glucose, unless the barrel, cask, keg, can, pail or package containing the same be distinctly branded or labeled with the true and appropriate name; nor shall any person offer or expose for sale, have in his possession with intent to sell, or sell any cane syrup or beet syrup mixed with glucose unless the barrel, cask, keg, can, pail or package containing the same be distinctly branded or labeled "Glucose Mixture" or "Corn

Syrup," in plain gothic type not less than three-eighths of an inch square, with the name and percentage by weight of each ingredient contained therein plainly stamped, branded or stenciled on each package in plain Gothic letters not less than one-quarter of an inch square. Each and every package of syrup either simple or mixed shall bear the name and address of the manufacturer. Such mixtures or syrups shall have no other designation or brand than herein required that represents or is the name of any article which contains a saccharine substance; and all brands or labels required shall be an inseparable part of the general or distinguishing label and that the general or distinguishing label shall be that principal and conspicuous sign under which it is sold.

109. SEC. 2. Whoever shall do any of the acts or things prohibited, or neglect or refuse to do any of the acts or things required by this act, or in any way violate any of the provisions, shall be deemed guilty of a misdemeanor, and shall be punished by a fine not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment in the county jail for a period of not less than thirty nor more than ninety days, or by both such fine and imprisonment in the discretion of the court.

This act is ordered to take immediate effect.

PRESERVATIVES.

(Act No. 7, Public Acts, 1905.)

AN ACT in relation to the use of preservatives in food products.

The People of the State of Michigan enact:

110. SECTION 1. No person, firm or corporation shall manufacture, sell, offer for sale, expose for sale, or have in his possession with intent to sell, any food product containing benzoic acid or benzoate of sodium, or any other harmless preservative, unless each and every package containing the same shall, in the condition in which it is exposed for sale, be distinctly, conspicuously, and legibly branded, labeled or marked, in plain English letters, with the words "Prepared with" followed by the proper English name of the preservative used: Provided, That nothing in this act shall be construed to prohibit or regulate, by branding or otherwise, the use as a preservative of common salt, syrup, sugar, salt petre, spices, alcohol, vinegar, or wood smoke: And provided further, That the provisions of this act shall not apply to dairy products.

111. SEC. 2. Whoever shall do any of the acts or things prohibited, or neglect or refuse to do any of the acts or things required by this act, or in any way violate any of its provisions, shall be deemed guilty of a misdemeanor, and shall be punished by a fine not less than ten dollars nor more than one hundred dollars, or by imprisonment in the county jail for a period of not more than ninety days, or by both such fine and imprisonment in the discretion of the court.

This act is ordered to take immediate effect.

MAPLE SUGAR AND SYRUP.

(Act No. 170, Public Acts, 1893.)

AN ACT to prohibit the adulteration of maple sugar, maple molasses and maple syrup.

The People of the State of Michigan enact:

112. (5007) SECTION 1. That it shall be unlawful for any person, dealer, firm, manufacturer or corporation to manufacture and sell, or offer for sale, any maple sugar, maple molasses or maple syrup that is in anywise adulterated with common sugar, beet sugar, glucose or any other foreign substance without distinctly marking, stamping or labeling the article or the package containing the same with the true and appropriate name of such article and the percentage in which common sugar, beet sugar, glucose or any other foreign substance enters into the composition of the same.

113. (5008) SEC. 2. Any person, dealer, firm, manufacturer or corporation who shall sell or offer for sale, and who shall falsely stamp or misrepresent or label any cans, jugs, jars, or packages containing maple molasses or maple syrup, and any person, dealer, firm, manufacturer or corporation who shall sell or offer for sale any maple sugar that is in anywise adulterated, who falsely misrepresents or labels or stamps the same, or knowingly permits such misrepresentation or false stamping or labeling, shall be deemed guilty of a misdemeanor and punished with a fine not less than fifty dollars, in case of vender, and in the case of manufacturers and those falsely or fraudulently stamping or labeling or misrepresenting such goods, shall be fined not less than five hundred dollars, nor more than one thousand dollars, and it shall be the duty of any board of health in this State, or food commissioner, should there be one, cognizant of any violation of this act to prosecute any person, dealer, firm, manufacturer, or corporation, which it has reason to believe has violated any of the provisions of this act, and after deducting the costs of trial and conviction the balance of fine recovered, one-half be placed in the township treasury wherein the conviction is made, the balance placed to the general fund of the county. Any (person) persons, dealer, firm, manufacturer or corporation who shall knowingly sell or offer for sale any cans, jugs, jars, or packages containing maple molasses, maple syrup, or maple sugar, that is in anywise adulterated, shall be deemed guilty of a misdemeanor and punished by a fine of not more than one hundred dollars, or by imprisonment in the county jail for a period not to exceed three months, or by both such fine and imprisonment, at the discretion of the court.

114. (5009) SEC. 3. Any person, dealer, firm, manufacturer, or corporation, who shall falsely stamp or misrepresent or label any cans, jugs, jars, or packages, containing maple molasses, or maple syrup, or maple sugar, that is in anywise adulterated, or knowingly permits such

(misrepresentation) misrepresentations or false stamping or labeling, shall be deemed guilty of a misdemeanor, and punished by a fine, not more than five hundred dollars, or by imprisonment in the county jail for a period of not more than one year, or by both such fine or imprisonment, in the discretion of the court.

ICE CREAM.

(Act No. 70, Public Acts, 1909.)

AN ACT to regulate the manufacture and sale of ice cream within the limits of the State of Michigan.

The People of the State of Michigan enact:

115. SECTION 1. No person, firm or corporation shall manufacture for sale, keep for sale, sell, barter, exchange or deal in ice cream which shall contain any substance other than milk, cream, eggs, sugar, and some neutral flavoring gelatin or vegetable gums or which contain other than the required amount of milk fat as hereinafter provided.

116. SEC. 2. No person, firm or corporation shall manufacture for sale, keep for sale, sell, barter, or deal in ice cream adulterated within the meaning of this act.

117. SEC. 3. Ice cream shall be deemed to be adulterated within the meaning of this act:

First, If it shall contain boric acid, formaldehyde, saccharin, or any other added substance or compound that is deleterious to health;

Second, If it shall contain salts of copper, iron oxide, ocrs or any coloring substance deleterious to health: Provided, That this paragraph shall not be construed to prohibit the use of harmless coloring matter in ice cream when not used for fraudulent purposes;

Third, If it shall contain any deleterious flavoring matter, or flavoring matter not true to name;

Fourth, If it be an imitation of, or offered for sale under the name of another article;

Fifth, If it contains less than ten per centum milk fat, except where fruit or nuts are used for the purpose of flavoring when it shall not contain less than eight per centum milk fat. Nothing in this act shall be construed to prohibit the use of not to exceed seven-tenths of one per centum of pure gelatin, gum tragacanth or other vegetable gums.

[Am. by Act No. 224, P. A. 1913.]

118. SEC. 4. The standard of ice cream in this State and for the purpose of this act is hereby declared to be a frozen product made from milk, cream, eggs and sugar with or without a natural flavoring and the gums mentioned in the preceding section and contains not less than ten per cent of milk fat. Fruit ice cream is a frozen product made from

milk, cream, eggs and sugar and sound, clean, mature fruits, and contains not less than eight per cent of milk fat. Nut ice cream is a frozen product made from milk, cream, eggs, sugar and sound, non-rancid nuts, and contains not less than eight per cent of milk fat.

[Am. by Act No. 224, P. A. 1913.]

119. SEC. 5. It shall not be lawful for any person, firm or corporation to sell, offer for sale, expose for sale, or have in possession with intent to sell, any ice cream in any container which is falsely labeled or branded as to the name of the manufacturer thereof or to misrepresent in any way the place of manufacture of ice cream or the manufacturer thereof.

120. SEC. 6. Each person, firm or corporation engaged in the manufacture of ice cream as a business within this State, after this act shall take effect, shall file with the Dairy and Food Commissioner an application for a license accompanied with a fee of five dollars, and upon receipt of such application the Dairy and Food Commissioner shall issue to the person, firm or corporation making such application a license to manufacture ice cream, as provided in this act, which license shall run for one year from the date of the application, and shall be renewed annually thereafter.

The money so collected by the Dairy and Food Commissioner shall be paid into the State treasury and be used to help defray the expenses of the office of the Dairy and Food Commissioner in addition to the annual appropriation therefor: Provided, That this section shall not apply except in cities of more than three thousand inhabitants, by the last United States census, to any person, firm or corporation manufacturing and selling ice cream by the dish direct to the consumer.

121. SEC. 7. Any person, firm or corporation who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment in the county jail for not less than thirty days nor more than ninety days, or by both such fine and imprisonment in the discretion of the court.

122. SEC. 8. The Dairy and Food Commissioner shall be charged with the enforcement of the provisions of this act. This act is ordered to take immediate effect.

MILL PRODUCTS.

(Act No. 208, Public Acts, 1909.)

AN ACT to establish uniform weights and measures of the various products of cereals in barrels or the fractional parts thereof when packed for sale or exposed for sale to firms or persons within this State, and to provide for the marking of the weight on packages of the products of such cereals.

The People of the State of Michigan enact:

123. SECTION 1. When mill products of wheat, corn, rye or buckwheat, known as flour, grits, meal or compounds of the same are placed or packed in barrels, fractional parts of a barrel or sacks to be sold or billed to any person or persons within this State, the standard weight or measure of a barrel or the fractional part thereof shall be as follows, viz:

One hundred ninety-six pounds for a barrel;

Ninety-eight pounds for one-half barrel;

Forty-nine pounds for one-quarter barrel;

Twenty-four and one-half pounds for one-eighth barrel;

Twelve and one-fourth pounds for one-sixteenth barrel;

Six and one-eighth pounds for one thirty-second barrel.

The full and correct weights as herein established shall be placed in said barrel or fractional part thereof by the manufacturer, company, dealer, person or persons filling the same, and the weights as herein established shall be the legal weights in this State for such packages when they are bought or sold, offered or exposed for sale, or in possession with intent to sell, or sold and delivered, ordered or billed.

124. SEC. 2. No person or persons shall sell, offer or expose for sale in this State by the barrel, or by the fractional parts of a barrel as herein established, any of the mill products specified in section one hereof, unless the barrel or fractional part of such barrel shall contain the full weight of such mill product as is provided for in section one hereof.

125. SEC. 3. Before any package containing the mill products or compounds of such mill products specified in section one of this act shall be sold or offered or exposed for sale in this State, the number of pounds contained therein shall be plainly printed or stamped on the face label in plain English letters and numbers not less than one-half inch high. When such packages are sold as one-half, one-quarter, one-eighth, one-sixteenth or one-thirty-second of a barrel they shall be so marked in addition to the number of pounds marked thereon as herein provided.

126. SEC. 4. No manufacturer, company, dealer or person shall abstract any part of the mill products from the standard package or fractional parts named in section one, and sell such package as a barrel or fractional part of a barrel as defined in section one.

127. SEC. 5. Any manufacturer, company, dealer, person or persons who shall knowingly sell, offer or expose for sale or for distribution in this State any package containing mill products of the cereals enumerated in section one which are stamped or labeled with a greater number of pounds than such package actually contains, or who shall put up or sell in this State any of the mill products of the above named cereals in a manner contrary to the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars nor more than five hundred dollars and the costs of prosecution, or by imprisonment in the county jail or the Michigan Reformatory at Ionia for not less than ninety days nor more than one year or by both such fine and imprisonment in the discretion of the court for each and every offense: Provided however, That nothing in this act shall be construed to cover or affect sales or shipments made to any manufacturer, company, dealer, person or persons outside of this State and not intended for sale or shipment back into this State.

128. SEC. 6. It shall be the duty of the Dairy and Food Commissioner to investigate all complaints of violations of this act, and to take all steps necessary to its enforcement. It shall be the duty of all prosecuting officers of this State to prosecute to completion all suits brought under the provisions of this act upon complaint of said commissioner or any person.

129. SEC. 7. This act shall take effect and be operative from and after January first, nineteen hundred ten.

LINSEED OR FLAXSEED OIL.

(Act No. 110, Public Acts, 1909.)

AN ACT to prevent the adulteration of linseed oil or flaxseed oil and to prevent fraud in the sale thereof and in the sale of compounds thereof, and to repeal all acts in conflict herewith.

The People of the State of Michigan enact:

130. SECTION 1. No person, firm or corporation, by himself, his servant, or agent, or as the servant or agent of any other person, firm or corporation, shall manufacture or mix for sale, sell, offer or expose for sale, or have in his possession with intent to sell in this State, under the name of raw linseed oil or raw flaxseed oil, any substance which is not wholly the product obtained from well cleaned flaxseed or linseed, and unless the aforesaid oil also fulfills the requirements of the nineteen hundred edition of the Pharmacopoeia of the United States, which follows:

1. Specific gravity 0.925 to 0.935 at 25 deg. C. (77 deg. F.) It does not congeal at temperatures above 20 deg. C. (—4 deg. F.). It is soluble in about ten parts of absolute alcohol and in all proportions in ether,

chloroform, petroleum, benzine, carbon disulphide and oil of turpentine. It should not more than slightly redden blue litmus paper, previously moistened with alcohol (limit of free acid). The oil should be completely saponifiable with alcoholic potassium hydroxide T. S. and the resulting soap should be completely soluble in water without leaving an oily residue, (absence of mineral oils and rosin oils). If 2 CC. of the oil be warmed and shaken in a test tube with an equal volume of glacial acetic acid, and if to this mixture, after cooling, one drop of sulphuric acid be added, a greenish color should be produced. (A violet color under these circumstances indicates the presence of rosin oils). Linseed oil saponified by alcoholic potassium hydroxide T. S. should show a saponification value of from 187 to 195. If 0.15 CC. of linseed oil be dissolved in 10 CC. of chloroform in a 250 CC. flask at 25 CC. of a mixture of equal volume of alcoholic iodine T. S. and alcoholic mercuric chloride T. S. added, and if, after standing for sixteen hours, protected from the light, 20 CC. potassium iodide T. S. be introduced and the mixture diluted with 50 CC. of water on titrating the excess of iodine with tenth normal sodium thiosulphate V. S. an iodine value of not less than 170 should be obtained. No person, firm or corporation, by himself, his servant or his agent, or as the servant or agent of any other person, firm or corporation, shall manufacture or mix for sale, sell, offer or expose for sale or have in his possession with intent to sell in this State, any substance as boiled linseed oil or as boiled flaxseed oil, unless the same shall have been prepared by heating raw linseed oil, as defined above: Provided, That if drier is used in said boiled linseed oil or boiled flaxseed oil, the same shall have been prepared by incorporating said drier with raw linseed oil, as defined above, at a temperature of not less than 225 deg. Fahrenheit, and furthermore contains not less than 96 per cent of linseed oil; and for the purpose of this act it shall also be deemed a violation thereof if said boiled linseed oil prepared either with or without drier does not conform to the following requirements: 1 Its specific gravity at 60 deg. Fahrenheit must be not less than 0.935 and not greater than 0.945; 2. Its saponification value (Koettstorfer figure) must not be less than 186; 3. Its iodine number (Huebl's method) must be not less than 160; 4. Its acid value must not exceed 10; 5. The volatile matter expelled at 212 deg. Fahrenheit must not exceed one-half of one per cent; 6. No mineral oil shall be present and the amount of unsaponifiable matter as determined by standard methods shall not exceed 2.5 per cent; 7. The film left after flowing the oil over glass and allowing it to drain in a vertical or nearly vertical position must dry free from tackiness in not to exceed twenty hours, at a temperature of about 70 deg. Fahrenheit. Linseed oil or flaxseed oil which does not conform to the foregoing requirements shall be deemed to be adulterated within the meaning of this act.

131. SEC. 2. No person, firm or corporation, either by himself or another, shall sell, offer or expose for sale, or have in his possession with intent to sell in this State any linseed oil or flaxseed oil, except under its true name, and unless each barrel, keg or can of such oil has plainly and durably painted, stamped, stenciled, labeled or marked thereon the true name of such oil in ordinary bold-faced capital letters, not less than five lines pica in size, together with the name and address of the man-

manufacturer, jobber or dealer: Provided, That if the contents of the package be less than twenty-five gallons, the type shall not be less than two lines pica in size. Proof that any person, firm or corporation has or had possession of any oil or compound which is adulterated or misbranded within the meaning of this act, shall be prima facie evidence that the possession thereof is in violation of this act.

132. SEC. 3. Linseed oil compounds or flaxseed oil compounds designed to take the place of raw or boiled linseed oil or raw or boiled flaxseed oil as defined in section one of this act, whether sold, offered or exposed for sale under invented proprietary names or titles or not, shall bear conspicuously upon the containing vessel, in capital letters not less than five line pica in size, the word "Compound," followed immediately with the true distinctive names of the actual ingredients in the order of their greater preponderance, in the English language, in plain legible type of the same size, not less than two lines pica in size, in continuous list with no intervening matter of any kind, and shall also bear the name and address of the manufacturer, jobber or dealer. Any oil or compounds required to be branded by the provisions of this act and not complying with sections two and three shall be deemed to be misbranded within the meaning of this act.

133. SEC. 4. It is hereby made a duty of the State Dairy and Food Commissioner to enforce the provisions of this act.

134. SEC. 5. The State Dairy and Food Commissioner, his agents, assistants, inspectors, chemists or others appointed by him, shall have full rights of ingress and egress to the premises occupied by parties who manufacture, sell or deal in linseed oil or flaxseed oil, or linseed oil compounds or flaxseed oil compounds, and also shall have power and authority to open any tank, barrel, can or other vessel believed to contain such oil and inspect the contents thereof and to take therefrom samples for analysis. In case any sample so taken shall prove on analysis to be adulterated or misbranded in violation of the provisions of this act it shall be the duty of the State Dairy and Food Commissioner to proceed against the offender as herein provided. No person shall obstruct the State Dairy and Food Commissioner or any of his assistants by refusing entrance to any place which he desires to enter in the discharge of his official duty as provided in this act, nor shall any person refuse to deliver to him a sample of oil when same is requested and when the value thereof is tendered.

135. SEC. 6. Any person, firm or corporation convicted of violating any of the provisions of the foregoing act shall, for the first offense be punished by a fine in any sum not less than twenty-five dollars and not more than one hundred dollars or by imprisonment in the county jail not exceeding thirty days, or by both such fine and imprisonment in the discretion of the court; and for the second and each subsequent offense by a fine of not less than fifty dollars and not more than two hundred dollars or by imprisonment in the county jail not exceeding one year, or both in the discretion of the court; or the fine above may be sued for and recovered before any justice of the peace or any court of competent jurisdiction, in the county where the offense shall have been committed, at the instance of the State Dairy and Food Commissioner or any other person in the name of the People of the State of Michigan as plaintiff and shall be recovered in an action of debt.

136. SEC. 7. All acts and parts of acts inconsistent with this act are hereby repealed.

DRUGS.

(Act No. 146, Public Acts, 1909.)

AN ACT to prohibit and prevent adulteration, misbranding, fraud and deception in the manufacture and sale of drugs and drug products in the State of Michigan and to provide for the enforcement thereof.

The People of the State of Michigan enact:

137. SECTION 1. No person shall within this State manufacture for sale, have in his possession with intent to sell, offer or expose for sale, or sell, any drug or drug product which is adulterated or misbranded within the meaning of this act.

138. SEC. 2. The term "drug" as used in this act shall include all medicines and preparations recognized in the United States Pharmacopoeia or National Formulary for internal or external use, and any substance or mixture of substances or device intended to be used for the cure, mitigation or prevention of disease of either man or other animals.

[Am. by Act No. 152, P. A. 1915.]

139. SEC. 3. An article shall be deemed to be adulterated within the meaning of this act:

First, If, when it is sold under or by a name recognized in the United States Pharmacopoeia or National Formulary, it differs from the standard of strength, quality or purity as determined by the test laid down in the United States Pharmacopoeia or National Formulary official at the time of investigation: Provided, That no drug defined in the United States Pharmacopoeia or National Formulary shall be deemed to be adulterated under this provision if the standard of strength, quality or purity be plainly stated upon the principal label of the bottle, box, or other container thereof, although the standard may differ from that determined by the test laid down in the United States Pharmacopoeia or National Formulary;

Second, If the strength or purity fall below the professed standard or quality under which it is sold.

[Am. by Act No. 152, P. A. 1915.]

140. SEC. 4. An article shall be deemed to be misbranded within the meaning of the act:

First, If it is an imitation of, or offered for sale under the name of another article;

Second, If the contents of the package as originally put up shall have been removed in whole or in part, and other contents shall have been placed in such package, or if the package fail to bear a statement on the

label of the quantity or proportion of any alcohol, antipyrin, opium, morphine, codeine, heroin, cocaine, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate or acetanilide, or any derivative or preparation of any such substances, contained therein: Provided, That nothing herein shall be construed to apply to the dispensing of prescriptions written by regularly licensed practicing physicians, veterinary surgeons and dentists, and kept on file by the dispensing pharmacist, nor to such drugs as are recognized in the United States Pharmacopoeia and National Formulary, and which are sold under the name by which they are so recognized;

Third, If the package containing it or its label shall bear any statement, design or device regarding the ingredients, or the substances contained therein, which statement, design or device shall be false or misleading in any particular, and to any drug or drug product which is falsely branded as to the state, territory or country in which it is manufactured or produced;

Fourth, If its package or label shall bear or contain any statement, design or device regarding the curative or therapeutic effect of such articles or any of the ingredients or substances contained therein, which is false and fraudulent.

[Am. by Act No. 152, P. A. 1915.]

141. SEC. 5. The president of the board of pharmacy, the president of the State Board of Health and the Dairy and Food Commissioner shall jointly make such rules and regulations as may be necessary for the enforcement of this act.

142. SEC. 6. It shall be the duty of the Dairy and Food Commissioner to investigate all complaints of violations of this act and take all steps necessary to its enforcement; and to this end he shall appoint two drug inspectors who shall be registered pharmacists, and one competent analyst which inspectors and analyst shall hold office at the pleasure of said commissioner, and until others are appointed; and the said Dairy and Food Commissioner or his deputy and the said drug inspectors or any of them shall in a lawful manner inquire into the drug products which are manufactured or sold or exposed or offered for sale in this State, and may in a lawful manner procure samples of the same for analysis; and the said Dairy and Food Commissioner, his deputy, or said drug inspectors or any of them, shall have power to enter into any factory, store, salesroom, drug store or laboratory or place where he has reason to believe drug products are made, stored, sold or offered for sale, and open any cask, jar, bottle or package containing, or supposed to contain any drug product, and take therefrom samples for analysis. The person making such inspection shall take such sample of such article or product in the presence of at least one witness, and he shall, in the presence of said witness mark or seal such sample and shall tender at the time of taking to the manufacturer or vendor of such product or to the person having the custody of the same the value thereof and a statement in writing for the taking of such sample. The said Dairy and Food Commissioner shall direct said analyst to make due and careful examination of such sample and report to him the result of such analysis and if the same is found to be adulterated or misbranded within the provisions of this act it shall be the duty of said com-

missioner, his deputy or any drug inspector assigned to such duty to make complaint against the manufacturer or vendor thereof in the proper county and furnish all evidence thereof to obtain a conviction of the offense charged, and in no case shall the Dairy and Food Commissioner or drug inspector making such complaint be required to furnish security for costs in any action instituted by him having for its object the enforcement of this act: Provided, Nothing herein contained shall be held to prohibit or prevent other inspectors or chemists connected with the office of the Dairy and Food Commissioner from performing any of the duties herein imposed upon the said drug inspectors and analyst, whenever in the opinion of said Dairy and Food Commissioner the work of his office can be expedited thereby.

143. SEC. 7. In construing and enforcing the provisions of this act, the act, omission or failure of any officer, agent or other person acting for or employed by any corporation, company, society or association within the scope of his employment or office, shall, in every case, be also deemed to be the act, omission or failure of such corporation, company, society or association, as well as that of the person: Provided, That no dealer shall be prosecuted under the provisions of this act when he can establish a guaranty in accordance with the provisions of the national food and drug act, June thirtieth, nineteen hundred six, or a guaranty signed by the wholesaler, jobber, manufacturer or other parties residing in this State, from whom he purchased such article, to the effect that the same is not adulterated nor misbranded within the meaning of this act. Said guaranty to afford protection shall contain the name and address of the party or parties making the sale of such article to such dealer, and in such case, if such guaranty was given in this State, said party or parties shall be amenable to the prosecution, fines and other penalties which would attach in due course to the dealer under the provisions of this act: Provided, however, That said guaranty shall not afford protection to the vendor in any case if said product is adulterated or misbranded within the meaning of this act, and if said vendor shall have been previously notified in writing by the Dairy and Food Commissioner to that effect: Provided further, That in no case shall the Dairy and Food Commissioner serve such notice upon any vendor of any such product until said Dairy and Food Commissioner shall have notified the manufacturer or jobber of any such product of the findings of the State Analyst with reference to such product; such notification to such manufacturer or jobber shall be in writing and shall be mailed ten days previous to any notice sent to any vendor in accordance with this section.

144. SEC. 8. Nothing in this act shall affect any drug product manufactured in this State for export to any foreign country or for sale in any other state, when such drug product is not adulterated or misbranded within the meaning of the laws of such foreign country or state; but if said article shall be in fact sold or offered for sale for use or consumption within this State, then such article shall not be exempt from the operation of any of the provisions of this act.

145. SEC. 9. It shall be the duty of each prosecuting attorney, when called upon by the said Dairy and Food Commissioner, or by any person by him authorized as aforesaid, to render any legal assistance in his power in proceedings under the provisions of this act or any subsequent act relative to the adulteration or misbranding of drug products.

146. SEC. 10. Whoever shall do any of the acts or things prohibited, or wilfully neglect or refuse to do any of the acts or things enjoined by this act, or in any way violate any of its provisions, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than twenty-five nor more than five hundred dollars, or by imprisonment in the county jail for a period of not more than ninety days, or by both fine and imprisonment in the discretion of the court.

147. SEC. 11. The sum of six thousand dollars is hereby appropriated for the fiscal year ending June thirtieth, nineteen hundred eleven, and for each fiscal year thereafter there is hereby appropriated the sum of six thousand dollars. Out of the amounts appropriated by this act shall be paid all salaries and expenses provided for herein.

TURPENTINE.

(Act No. 175, Public Acts, 1911.)

AN ACT regulating the sale of turpentine and providing penalties for the violation of this act.

The People of the State of Michigan enact:

148. SECTION 1. No person, firm or corporation shall manufacture, mix for sale, sell or offer for sale for other than medical purposes, under the name of turpentine or under a name composed of a part or parts of the word turpentine, or spirits of turpentine, any article which is not wholly distilled from resin, turpentine gum or scrape from pine trees and unmixed and unadulterated with oil, benzine or other foreign substance of any kind whatsoever, unless the package containing the same shall be stenciled or marked with letters not less than one inch square and one-fourth inch apart "adulterated turpentine," except turpentine produced from turpentine gum extracted wholly from pine wood, which turpentine is known as "wood turpentine" must be stenciled or marked "wood turpentine" with letters not less than one inch square and one-fourth inch apart. When such wood turpentine is mixed and adulterated with oil, benzine or other foreign substance of any kind whatsoever, the container shall be stenciled or marked "adulterated wood turpentine" with letters not less than one inch square and one-fourth inch apart. When wood turpentine is mixed with turpentine distilled from resin, turpentine gum, or scrape from pine trees, in any quantity whatsoever, the container shall be stenciled or marked "wood turpentine" with letters not less than one inch square and one-fourth inch apart: Provided, That if the contents of the package be less than twenty-five gallons, the type shall not be less than two lines pica in size. Nothing herein contained shall be construed to prohibit the manufacture or sale of any compound or imitation providing the container shall be plainly marked and the purchaser notified as aforesaid.

[Am. by Act No. 372, P. A. 1913.]

149. SEC. 2. The Dairy and Food Commissioner of Michigan shall enforce the provisions of this chapter and the penal statutes relating thereto, and such commissioner, his assistants, experts, chemists and agents shall have access and ingress to the places of business, stores and buildings used for the sale of turpentine, and may open any package, can or jar or other receptacle containing any turpentine that may be manufactured, sold or offered for sale in violation of this statute. The inspectors, assistants or chemists appointed by such commissioner shall perform like duties and have like authority under this chapter and the penal statutes relating thereto as is provided by law in other cases. Such commissioner shall publish bulletins from time to time giving the results of the inspections and analyses with such information as he deems suitable.

150. SEC. 3. Whosoever violates any provisions of law relating to the labeling, marking or stenciling of turpentine or wood turpentine by manufacturers or distributors thereof, shall be fined not more than fifty dollars for the first offense, and for each subsequent offense shall be fined not less than fifty dollars nor more than one hundred dollars, or imprisoned not less than thirty days nor more than one hundred days or both.

BABCOCK TEST.

(Act No. 280, Public Acts, 1907.)

AN ACT to regulate the sampling and testing of milk and cream and the use of the Babcock test and to make the violation of any provision hereof a misdemeanor.

The People of the State of Michigan enact:

151. SECTION 1. In taking samples of milk or cream from any milk can, cream can or any container of milk or cream, the contents of such milk can, cream can, or container of milk and cream shall first be thoroughly mixed either by stirring or otherwise and the sample shall be taken immediately after mixing, or by any other method which gives a representative average sample of the contents, and it is hereby made a misdemeanor to take samples by any method which does not give a representative average sample where milk or cream is bought or sold, and where the value of said milk or cream is determined by the butter fat contained in the same by the Babcock test.

152. SEC. 2. In the use of the Babcock test the term "standard Babcock testing glassware" shall apply to glassware complying with the following specifications:

(a) Standard Milk Test Bottles.

Graduation.—The total per cent graduation shall be eight per cent. The graduated portion of the neck shall have a length of not less than sixty-three five-tenths millimeters (two and one-half inches). The graduation shall represent whole per cent, five-tenths per cent, and tenths per

cent. The tenth per cent graduations shall not be less than three millimeters in length; the five-tenths per cent graduations shall be one millimeter longer than the tenths per cent graduations, projecting one millimeter to the left; the whole per cent graduations shall extend at least one-half way around the neck to the right and projecting two millimeters to the left of the tenths per cent graduations. Each per cent graduation shall be numbered, the number being placed on the left of the scale. The arrow at any point of the scale shall not exceed one-tenth per cent.

Neck.—The neck shall be cylindrical and the cylindrical shape shall extend for at least nine millimeters below the lowest and above the highest graduation mark. The top of the neck shall be flared to a diameter not less than ten millimeters.

Bulb.—The capacity of the bulb up to the junction of the neck shall not be less than forty-five cubic centimeters. The shape of the bulb may be either cylindrical or conical with the smallest diameter at the bottom. If cylindrical, the outside diameter shall be between thirty-four and thirty-six millimeters; if conical, the outside diameter of the base shall be between thirty-one and thirty-three millimeters, and the maximum diameter between thirty-five and thirty-seven millimeters.

The charge of the bottle shall be eighteen grams.

The total height of the bottle shall be between one hundred fifty and one hundred sixty-five millimeters (five and seven-eighths and six and one-half inches.)

(b) Standard Cream Test Bottles.

Two types of bottles shall be accepted as standard cream test bottles, a fifty per cent nine gram short-neck bottle and a fifty per cent nine gram long-neck bottle.

Fifty per cent nine gram short-neck bottles. Graduation.—The total per cent graduation shall be fifty. The graduated portion of the neck shall have a length of not less than sixty-three five-tenths millimeters (two and one-half inches). The graduation shall represent five per cent, one per cent and five-tenths per cent. The five per cent graduations shall extend at least one-half way around the neck of the bottle (to the right). The five per cent graduations shall have a length intermediate between the five per cent and the five-tenths per cent graduations. Each five per cent graduation shall be numbered, the number being placed on the left of the scale. The arrow at any point of the scale shall not exceed five-tenths per cent.

Neck.—The neck shall be cylindrical and the cylindrical shape shall extend at least nine millimeters below the lowest and nine millimeters above the highest graduation mark. The top of the neck shall be flared to a diameter of not less than ten millimeters.

Bulb.—The capacity of the bulb up to the junction of the neck shall not be less than forty-five cubic centimeters. The shape of the bulb may be either cylindrical or conical with the smallest diameter at the bottom. If cylindrical, the outside diameter of the base shall be between thirty-one and thirty-three millimeters and the maximum diameter between thirty-five and thirty-seven millimeters.

The charge of the bottle shall be nine grams. All bottles shall bear on top of the neck above the graduations, in plainly legible characters, a mark defining the weight of the charge to be used (nine grams).

The total height of the bottle shall be one hundred fifty and one hun-

dred sixty-five millimeters (five and seven-eighths and six and one-half inches) same as standard milk test bottles.

Fifty per cent nine gram long-neck bottles.—The same specifications in every detail as specified for the fifty per cent nine gram short-neck bottle shall apply for the long-neck bottle with the exception, however, that the total height of this bottle shall be between two hundred ten and two hundred thirty-five millimeters (eight and one-half and eight and seven-eighths inches) and that the total length of the graduation shall be not less than one hundred twenty millimeters.

The Standard Babcock Pipette.

Total length of pipette shall be not more than three hundred thirty millimeters (thirteen and one-fourth inches). Outside diameter of suction tube six to eight millimeters. Length of suction tube one hundred twenty millimeters. Outside diameter tube one hundred to one hundred twenty millimeters. Distance of graduation mark above bulb thirty to sixty millimeters. Nozzle straight. Delivery seventeen six-tenths cubic centimeters of water at twenty degrees C. in five to eight seconds.

All butter-fat and cream scales used for the purpose of determining the value or per cent of butter-fat content of milk or cream by the Babcock test shall be subject to the following specifications:

1. The scale shall be provided with a graduated face of at least ten divisions over which the pointer shall play.

2. The pointer must reach to the graduated divisions and shall terminate in a fine point to enable the readings to be made clearly and distinctly.

3. The clear interval between the divisions on the graduated face shall not be less than five one-hundredths inch.

4. All scales whose weight indications are changed by an amount greater than one-half the tolerance allowed, when set in any position on a surface making an angle of three degrees or approximately five per cent with the horizontal, shall be equipped with leveling screws and a device which will indicate when the scale is level: Provided, however, That the scale shall be rebalanced at zero each time its position is altered during the test.

5. The addition of one-half grain to the scale when loaded to capacity shall cause a movement of the pointer at least equal to one division on the graduated face.

6. The sensibility reciprocal and tolerance of cream test and butter-fat test scales shall be one half-grain (thirty milligrams). Every person, firm, company, association, corporation or agent thereof buying and paying for milk or cream on the basis of the amount of butter-fat contained therein as determined by the Babcock test shall use standard Babcock test bottles, pipettes and accurate weights and scales as defined in this act.

[Am. by Act No. 266, 1915.]

153. SEC. 3. It shall be unlawful for the owner, manager, agent or any employee of a cheese factory, creamery, condensed milk factory or milk depot or other place where milk or cream is tested for quality or value to falsely manipulate or under-read or over-read the Babcock test, or make settlements on any other basis than the correct reading of the Babcock test or any other contrivance used for determining the quality

or value of milk or cream where the value of said milk or cream is determined by the per cent of butter fat contained in the same or to make any false determination by the Babcock test or otherwise.

154. SEC. 4. Whoever shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than ten dollars nor more than fifty dollars for each and every offense or be imprisoned in the county jail not less than ten days nor more than thirty days.

SAUSAGE.

(Act No. 151, Public Acts, 1913.)

AN ACT providing for the protection of the public health and the prevention of fraud and deception, by prohibiting the sale, the offering for sale or exposing for sale or the having in possession with intent to sell, of adulterated or deleterious sausage; defining sausage; and prescribing the penalty for the violation hereof.

The People of the State of Michigan enact:

155. SECTION 1. It shall be unlawful for any person or persons, by himself, herself or themselves, or by his, her or their agents, servants or employes, to sell, offer for sale, expose for sale, or have in possession with intent to sell, sausage that is adulterated within the meaning of this act. Sausage when used in this act shall be deemed to include Bologna, Wiene-wurst and Frankforts.

156. SEC. 2. For the purpose of this act, sausage or sausage meat shall be held to be a comminuted meat from neat cattle or swine, or a mixture of such meats, either fresh, salted, pickled or smoked, with added salt and spices, and with or without the addition of edible animal fat, blood and sugar, or subsequent smoking. It shall contain no larger amount of water than the meats from which it is prepared contain when in their fresh condition.

157. SEC. 3. For the purpose of this act, sausage shall be deemed to be adulterated:

First, If it contains added water in excess of the quantity required to bring the amount up to that which the meats from which it is prepared contain immediately after slaughter;

Second, If it contains any cereal or vegetable flour;

Third, If it contains any coal-tar dye, boric acid or borates, sulphites, sulphur dioxide, sulphurous acid, or any other substances injurious or deleterious to health;

Fourth, If it contains any diseased, contaminated, filthy or decomposed substance; or is manufactured, in whole or in part, from a diseased, contaminated, filthy or decomposed substance, or a substance produced, stored, transported or kept in a way or manner that would render the article diseased, contaminated or unwholesome; or if it is any product of a diseased animal, or the product of any animal which has died other-

wise than by slaughter. Nothing in this act shall be construed as prohibiting the sale of sausage which when properly labeled shall conform to the following standard: Sausage shall not contain cereal in excess of two per cent. When cereal is added its presence shall be noted on the label or on the product. That water or ice shall not be added to it except for the purpose of facilitating grinding, chopping and mixing, in which case the added water or ice shall not exceed three per cent except as provided in the following paragraph. Sausages of the class which are cooked or smoked, such as Frankfort style, Vienna style and Bologna style, may contain added water in excess of three per cent, but not in excess of amount sufficient to make the sausage palatable. When water in excess of three per cent is added to this class of sausage, the statement "Sausage, water and cereal" shall appear on the label or on the product, but when no cereal is added, the addition of water need not be stated.

158. SEC. 4. Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars, nor more than two hundred dollars, or to undergo an imprisonment of not less than thirty days, nor more than sixty days, or both or either, in the discretion of the court.

159. SEC. 5. The dairy and food commissioner shall be charged with the enforcement of the provisions of this act.

WEIGHTS AND MEASURES.

(Act No. 168, Public Acts, 1913.)

AN ACT to provide for a state superintendent of weights and measures, state, county and city sealers and inspection of weights and measures, prescribing their powers and duties, providing penalties for fraud and deception in the use of false weights and measures and confiscation thereof, and repealing sections four thousand eight hundred eighty-two to four thousand eight hundred ninety-seven inclusive of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

160. SECTION 1. The weights and measures received from the United States under a resolution of congress approved June fourteen, eighteen hundred thirty-six and such new weights and measures as shall be received from the United States as standard weights and measures in addition thereto or in renewal thereof, and such as shall be supplied by the state in conformity therewith and certified by the national bureau of standards, shall be the state standards, by which all county and municipal standards of weights and measures shall be tried, proved and sealed.

161. SEC. 2. The state dairy and food commissioner by virtue of his office shall be state superintendent of weights and measures during his term of office. His deputy shall be deputy superintendent of weights and

measures and all inspectors appointed by the dairy and food commissioner shall be state inspectors and sealers of weights and measures.

162. SEC. 3. The superintendent of weights and measures shall take charge of the standards adopted by this article as the standards of the state, and cause them to be kept in a safe and suitable place in the office of the superintendent from which they shall not be removed except for repairs or for certification and he shall take all other necessary precautions for their safe keeping. He shall maintain the state standards in good order and shall submit them at least once in ten years to the national bureau of standards for certification. He shall at least once in five years try and prove by the state standards all weights, measures and other apparatus which may belong to any county or city, and shall seal such when found to be accurate stamping on them the letter "C" and the last two figures of the year with seals which he shall have and keep for that purpose. He shall have and keep a general supervision of the weights, measures and weighing and measuring devices offered for sale, sold, or in use in the state. He shall, upon the written request of any citizen, firm, corporation or educational institution in the state test or calibrate weights, measures, weighing or measuring devices, and instruments or apparatus used as standards in the state. He, or his deputy, or inspectors, by his direction, shall at least once annually test all scales, weights, and measures used in checking the receipts and disbursements of supplies in every institution for the maintenance of which moneys are appropriated by the legislature, and he shall report in writing his finding to the supervisory board and to the executive officer of the institution concerned, and at the request of such board or executive officer the superintendent of weights and measures shall appoint in writing one or more employes then in the actual service of each institution, who shall act as special deputies without extra compensation for the purpose of checking the receipts and disbursements of supplies. He shall keep a complete record of standards, balances and other apparatus belonging to the state and take a receipt for same from his successor in office. He shall annually on the first day of July make to the governor a report of the work done by his office. The state superintendent or his deputy, or inspectors, at his direction, shall inspect all standards and apparatus used by the counties and cities at least once in five years and shall keep a record of the same. He, or his deputy, or inspectors, at his direction shall at least once in five years visit the various cities and counties of the state in order to inspect the work of the local sealers, and in the performance of such duties, he may inspect the weights, measures, balances, or any other weighing appliance of any citizen, firm, or corporation, and shall have the same power as the local sealer of weights and measures. The superintendent shall issue from time to time, regulations for the guidance of city and county sealers and the said regulations shall govern the procedure to be followed by the aforesaid officers in the discharge of their duties.

163. SEC. 4. The board of supervisors of each county and the commissioner or common council of each city who may in their discretion appoint a sealer under this act, shall procure at the expense of the county or city, and shall keep at all times, a complete set of weights and measures and other apparatus of such material and construction as said superintendent of weights and measures may direct. All such weights,

measures, and other apparatus having been tried and accurately proven by him, shall be sealed and certified to by the state superintendent as hereinbefore provided; and shall be then deposited with and preserved by the county or city sealer as public standards for such county or city.

164. SEC. 5. The board of supervisors of each county may in its discretion appoint a county sealer of weights and measures in each county for a term of two years. He shall be paid a salary to be determined by said board, and no fee shall be charged by him or by the county for the inspection, testing, or sealing of weights, measures, or weighing or measuring devices; where not otherwise provided by law, the county sealer shall have the power within his county, and the state superintendent, his deputies and inspectors, within the state, to inspect, test, try, and ascertain if they are correct, all weights, scales, beams, measures of every kind, instruments or mechanical devices for measuring and tools, appliances and accessories connected with any and all such instruments or measures kept, offered, or exposed for sale, sold or used or employed within the county by any proprietor, agent, lessee, or employe in proving the size, quantity, extent, area, or measurement of quantities, things, produce, articles for distribution or consumption offered or submitted by such person or persons for sale, hire, or award; and they shall have the power to and shall from time to time weigh or measure packages or amounts of commodities of whatsoever kind kept for the purpose of sale, offered for sale, or sold or in the process of delivery, in order to determine whether the same contains the amount represented, and whether they be offered for sale or sold in a manner in accordance with law. The county sealer shall at least once each year, and as much oftener as he may deem necessary, see that the weights, measures, and all apparatus used in the county are correct. The county and state inspectors may for the purpose above mentioned and in the general performance of their official duties enter or go in upon, and without formal warrant, any stand, place, building, or premises, or stop any vendor, peddler, junk dealer, coal wagon, ice wagon, delivery wagon, or any dealer whatsoever and require him, if necessary, to proceed to some place which the sealer may specify, for the purpose of making the proper tests. Whenever the county sealer or state inspectors find a violation of the statute relating to weights and measures, they shall cause the violator to be prosecuted. Whenever any sealer or inspector compares weights, measures, or weighing and measuring instruments and finds that they correspond, or causes them to correspond, with the standards in his possession, he shall seal or mark such weights, measures, or weighing or measuring instruments with appropriate devices to be approved by the state superintendent of weights and measures. The county sealer shall keep a complete record of all of his official acts and shall make an annual report to the board of supervisors and an annual report duly sworn to on the first day of July to the state superintendent of weights and measures on blanks to be furnished by the superintendent. The county sealer of weights and measures shall forthwith on his appointment give a bond in the penal sum of one thousand dollars, with sureties to be approved by the appointing power for the faithful performance of the duties of his office: Provided, however, That nothing in the above shall be construed to prevent two or more counties from combining the whole or any part of their districts as may be agreed upon by the board of

supervisors with one set of standards and one sealer, upon the written consent of the state superintendent of weights and measures. A county sealer appointed in pursuance of such an agreement for such combination, shall, subject to the terms of his appointment, have the same authority, jurisdiction, and duties as if he had been appointed by each of the authorities who are party to the agreement.

165. SEC. 6. Any incorporated city in this state may in its discretion appoint a city sealer of weights and measures under this act. He shall be appointed by the mayor, by and with the advice and consent of the common council. He shall perform in said city the duties and have like powers as the county sealer in the county. In those cities in which no sealer is appointed as above, the county sealer of the county, if there be one, shall perform in said cities the duties and have like powers as in the county: Provided, however, That nothing in the above shall be construed to prevent any county and a city situated therein from combining the whole or any part of their districts as may be agreed upon with one sealer, subject to the written approval of the state superintendent of weights and measures. A sealer appointed in pursuance of an agreement for such combination shall, subject to the terms of his appointment, have the same authority, jurisdiction, and duties as if he had been appointed by each of the authorities who are parties to the agreement.

166. SEC. 7. Any person who by himself or by his servant or agent or as the servant or the agent of another shall offer or expose for sale, sell, or use or retain in his possession, a false weight or measure or weighing or measuring device or any weight or measure or weighing or measuring device which has not been sealed by the sealer of weights and measures within five years, in the buying or selling of any commodity or thing or for hire or reward; or who shall dispose of any condemned weight, measure or weighing or measuring device contrary to law or remove any tags placed thereon by the sealer of weights and measures; or any person who by himself or by his servant or agent, or as the servant or agent of another, shall knowingly sell or offer or expose for sale less than the quantity he represents, or sell or offer or expose for sale any such commodity in a manner contrary to law; or any person who by himself or by his servant or agent, or as the servant or agent of another, shall sell or offer for sale or have in his possession for the purpose of selling any device or instrument to be used to, or calculated, to falsify any weight or measure, shall be guilty of a misdemeanor, and shall be punished by a fine of not less than twenty dollars nor more than one hundred dollars or by imprisonment for not more than three months or by both such fine and imprisonment upon first conviction; but upon a second or subsequent conviction he shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars or by imprisonment in the county jail for not more than one year or by both such fine and imprisonment.

167. SEC. 8. The superintendent of weights and measures, his deputy, inspectors, and the county and city sealers of weights and measures are hereby made special policemen, and are authorized to seize, for use as evidence and without formal warrant any false or unsealed weight, measure or weighing or measuring device or package or amounts of

commodities, found to be used, retained or offered or exposed for sale or sold in violation of law.

168. SEC. 9. Any person who shall hinder or obstruct in any way, the superintendent of weights and measures, his deputy, or inspectors, or any county or city sealer, in the performance of his official duties shall be guilty of a misdemeanor, and shall be punished upon conviction thereof, in any court of competent jurisdiction, by a fine of not less than two nor more than two hundred dollars, or by imprisonment in the county jail for not more than ninety days or by both such fine and imprisonment.

169. SEC. 10. Any person who shall impersonate in any way the superintendent of weights and measures, his deputies, inspectors, or any county or city sealer, by use of his seal or otherwise, shall be guilty of a misdemeanor and shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail for not more than ninety days or by both such fine and imprisonment.

170. SEC. 11. Sections four thousand eight hundred eighty-two, four thousand eight hundred eighty-three, four thousand eight hundred eighty-four, four thousand eight hundred eighty-five, four thousand eight hundred eighty-six, four thousand eight hundred eighty-seven, four thousand eight hundred eighty-eight, four thousand eight hundred eighty-nine, four thousand eight hundred ninety, four thousand eight hundred ninety-one, four thousand eight hundred ninety-two, four thousand eight hundred ninety-three, four thousand eight hundred ninety-four, four thousand eight hundred ninety-five, four thousand eight hundred ninety-six and four thousand eight hundred ninety-seven, of the Compiled Laws of eighteen hundred ninety-seven, relative to weights and measures, are hereby repealed.

AN ACT to provide for the weight per bushel, of certain grain, dried fruit, coal, vegetables and products.

The People of the State of Michigan enact:

171. (C. L., 4900) SECTION 1. That whenever wheat, rye, shelled corn, corn on the cob, corn meal, oats, buckwheat, beans, clover seed, timothy seed, flax seed, hemp seed, millet seed, blue grass seed, red top seed, barley, dried apples, dried peaches, potatoes, potatoes (sweet), onions, turnips, peas, cranberries, dried plums, castor beans, salt, mineral coal, Hungarian grass seed, orchard grass seed, osage orange seed, shall be sold by the bushel, and no special agreement as to the measure or weight thereof shall be made by the parties, the measure thereof shall be ascertained by weight and shall be computed as follows, viz.:

Sixty pounds for a bushel of wheat;

Fifty-six pounds for a bushel of rye;

Fifty-six pounds for a bushel of shelled corn;

Seventy pounds for a bushel of corn on the cob;

Fifty pounds for a bushel of corn meal;

Thirty-two pounds for a bushel of oats;

Forty-eight pounds for a bushel of buckwheat;
Sixty pounds for a bushel of beans;
Sixty pounds for a bushel of clover seed;
Forty-five pounds for a bushel of timothy seed;
Fifty-six pounds for a bushel of flax seed;
Forty-four pounds for a bushel of hemp seed;
Fifty pounds for a bushel of millet or Hungarian grass seed;
Fourteen pounds for a bushel of blue grass seed;
Fourteen pounds for a bushel of red top seed;
Forty-eight pounds for a bushel of barley;
Twenty two pounds for a bushel of dried apples;
Twenty-eight pounds for a bushel of dried peaches;
Sixty pounds for a bushel of potatoes;
Fifty-six pounds for a bushel of sweet potatoes;
Fifty-four pounds for a bushel of onions;
Fifty-eight pounds for a bushel of turnips;
Sixty pounds for a bushel of peas;
Forty pounds for a bushel of cranberries.
Twenty-eight pounds for a bushel of dried plums;
Forty-six pounds for a bushel of castor beans;
Fifty-six pounds for a bushel of Michigan salt;
Eighty pounds for a bushel of mineral coal;
Fourteen pounds for a bushel of orchard grass seed;
Thirty-three pounds for a bushel of osage orange seed.

UNLAWFUL DISCRIMINATION.

(Act No. 103, Public Acts, 1913.)

AN ACT to prevent unlawful discrimination in the purchase of poultry, eggs, milk, cream and butter-fat, and to provide a punishment for the same.

The People of the State of Michigan enact:

172. SECTION 1. Any person, firm, copartnership or corporation engaged in the business of buying poultry, eggs, milk, cream or butter-fat for the purpose of manufacture, who shall with the intention of creating a monopoly or destroying the business of a competitor, discriminate between different sections, localities, communities or cities of this State by purchasing such commodity at a higher price or rate in one locality than is paid for the same commodity by said person, firm, copartnership or corporation in any other locality, after making due allowance for the difference, if any, in the actual cost of transportation from the locality of purchase to the locality of manufacture, shall be deemed guilty of unfair discrimination, and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars or by imprisonment in the county jail not to exceed six months.

COMMISSION MERCHANTS.

(Act No. 184, Public Acts, 1913.)

AN ACT to regulate the business of selling farm products on commission, providing all commission merchants dealing in farm products shall be licensed, to provide against and punish fraud and deception in the sale of farm products on commission, and defining the duties of the State dairy and food commissioner relative thereto.

The People of the State of Michigan enact:

173. SECTION 1. As used in this article:

1. The term "commission merchant" shall include every person, firm, association and corporation, licensed under this article to receive, sell or offer for sale on commission within this State any kind of farm produce.

2. The term "farm produce" shall include all agricultural, horticultural, vegetable and fruit products of the soil, and meats, poultry, eggs, dairy products, nuts and honey, but shall not include timber products.

174. SEC. 2. On and after October first, nineteen hundred thirteen, no person, firm, association or corporation, whose principal place of business shall be located in any city in this State, shall receive, sell or offer for sale on commission within this State any kind of farm produce, without a license as provided in this article. Every person, firm, association and corporation in this State receiving farm produce for sale on commission shall annually on or before October first, file an application with the State dairy and food commissioner for a license to do a commission business in farm produce. Such application shall state the kind or kinds of produce which the applicant proposes to handle, the full name of the person or corporation applying for such license, and if the applicant be a firm or association, the full name of each member of the firm or association, the city and street number at which the business is to be conducted, and such other facts as the State dairy and food commissioner shall prescribe. Such applicant shall further satisfy the State dairy and food commissioner of his or its character, responsibility and good faith in seeking to carry on a commission business. The State dairy and food commissioner shall thereupon issue to such applicant, on payment of fifteen dollars, in cities of less than twenty thousand population, and twenty-five dollars, in cities of more than twenty thousand population, a license entitling the applicant to conduct the business of receiving and selling farm produce on commission at the place named in the application until the tenth day of October next following. Such license shall not be issued, however, to any applicant if during the preceding year a complaint from any consignor of farm produce for sale on commission shall have been filed with the State dairy and food commissioner against such applicant for any of the grounds specified in section four hereof. and such complaint shall have been established as

true and just to the satisfaction of the commissioner after such complaint shall have been investigated by the commissioner in the manner provided by section three of this act.

175. SEC. 3. The commissioner and his assistants shall have power to investigate, upon the complaint of an interested person, or of his own motion, the record of any person, firm or corporation applying for a license, or any transaction involving the solicitation, receipt, transportation, sale or attempted sale of farm produce on a commission basis, including the making of charges in selling, carting, or other services, the failure to make proper and true accounts and settlements at prompt and regular intervals, the making of false statements as to condition, quality or quantity of goods received or while in storage, the making of false statements as to market conditions, or the failure to make payment for goods received or other alleged injurious transactions; and for such purpose may examine the ledgers, books of account, memoranda or other documents of any commission merchant and may take testimony therein under oath; but information relating to the general business of any such person, contained in such investigation and not relating to the immediate purpose thereof shall be deemed of a confidential nature by the commissioner, his assistants and employees. When a complaint is filed with the commissioner, he shall attempt to secure an explanation or adjustment; failing this, within ten days he shall cause a copy thereof, together with a notice of a time and place for a hearing on such complaint, to be served personally, or by mail, upon such commission merchants. If served by mail such complaint and notice shall be directed to such commission merchant at his place of business and the postage prepaid thereon. Such service shall be made at least seven days before the hearing. At the time and place appointed for such hearing, which shall be within the county where the commission merchant is licensed to do business, the commissioner or his assistants shall hear the parties to such complaint, shall have power to administer an oath, and shall enter in the office of the State dairy and food commissioner a decision either dismissing such complaint or specifying the fact which he deemed established on such hearing.

176. SEC. 4. The State dairy and food commissioner may decline to grant a license or may revoke a license already granted, where he is satisfied of the existence of the following cases or either of them:

1. Where false charges have been imposed for handling or services, or charges other than as by a schedule agreed on by the parties, or other than those customary in the trade;

2. Where there has been a failure to account promptly and properly or to make settlements with intent to defraud;

3. Where there have been false statements as to condition, quality or quantity of goods received or held for sale on commission;

4. Where there have been false or misleading statements as to market condition with intent to deceive;

5. Where there have been combinations to fix prices below the market level;

6. Where there has been a continual course of dealings of such nature as to satisfy the commissioner of inability of the commission merchant to properly conduct the business, or of an intent to deceive or defraud customers;

7. Where the commission merchant directly or indirectly purchases the goods for his own account without prior authority therefor, or without notifying the consignor thereof.

177. The action of the commissioner in refusing to grant a license, or in revoking a license granted under this act, shall be subject to review by a writ of certiorari, and if such proceedings are begun; until the final determination of certiorari proceedings and all appeals therefrom, the license of such commission merchant shall be deemed to be in full force and effect, or if such license shall have been refused, such commission merchant shall not be deemed to have violated the provisions of this act, prohibiting the transaction of such business without a license, provided the fee for such license shall have been paid.

178. SEC. 6. The dairy and food commissioner shall publish in pamphlet form as often as he thinks is necessary, a list of all the licensed commission merchants.

179. SEC. 7. The funds received for the license issued under section two of this act shall be paid into the State treasury for the use and benefit of the State dairy and food department.

180. SEC. 8. If any shipper of farm produce to a commission merchant be dissatisfied with any statement relative to the sale of such shipment, he may apply to the State dairy and food commissioner, in writing, within sixty days of making such shipment, for an investigation. The State dairy and food commissioner shall treat such application as a complaint, and shall cause a full investigation of the transaction complained of to be made either by himself, or one of his assistants in the manner provided by section five of this act.

181. SEC. 9. Any person, who being a commission merchant in farm produce, shall (a) impose false charges for handling or services in connection with food products, or (b) fail to account for such food products, promptly and properly and to make settlements therefor with intent to defraud, or (c) shall make false or misleading statement or statements as to the market conditions with intent to deceive, or (d) enter into any combination to fix prices below market level, (e) directly or indirectly purchase for his or its own account, goods received by him upon consignment without prior authority therefor from the consignor, or shall fail to promptly notify the consignor of such purchase on his own account, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars, nor more than five hundred dollars, and the cost of prosecution, or by imprisonment in the county jail or State House of Correction and Reformatory at Ionia, for not less than six months nor more than three years, or by both such fine and imprisonment in the discretion of the court in each and every offense.

182. SEC. 10. Nothing in this act shall apply to retail dealers, real estate dealers or auctioneers selling farm products on commission.

183. SEC. 11. Any commission merchant of farm produce, as defined in sections one and two of this act, who shall fail to take out a license as required by this act, shall be deemed guilty of a misdemeanor, and for each and every offense of selling farm produce on commission without such license, shall be punished by a fine of not more than one hundred dollars, and the costs of prosecution, or by imprisonment in the county

jail for not more than thirty days, or both in the discretion of the court, and the fact that any person advertises and holds himself out as a commission merchant of farm produce, shall be prima facie evidence of the fact that he is a commission merchant of farm products as defined by this act.

[Added by Act No. 18, P. A. 1915.]

UNWHOLESOME VEAL.

(Act No. 340, Public Acts, 1913.)

AN ACT to prevent and punish the sale of immature and unwholesome calves and veal.

The People of the State of Michigan enact:

184. SECTION 1. No person shall for the purpose of selling, kill a calf less than four weeks old, and no person shall sell the meat of any such calf or have the same in his possession with intent to sell the same either by himself, his agents, or servants.

185. SEC. 2. Whoever shall do any of the acts or things prohibited by this act, or in any way violate any of its provisions, shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, and the costs of the prosecution, or by imprisonment in the county jail not more than ninety days, or by both such fine and imprisonment in the discretion of the court.

186. SEC. 3. This act is immediately necessary for the public health.

UNWHOLESOME FOOD FOR ANIMALS.

(Act No. 179, Public Acts, 1913.)

AN ACT to regulate, prevent and punish the feeding of the flesh of old, decrepit, infirm, sick or diseased animals and unwholesome offal to animals or fowls, and provide a penalty for the violation thereof.

The People of the State of Michigan enact:

187. SECTION 1. No person shall feed to animals or fowls the flesh of an animal which has become old, decrepit, infirm or sick, or which has died from such cause, or offal or flesh that is putrid or unwholesome.

188. SEC. 2. Whoever shall do any of the acts or things prohibited by this act, or in any way violates any of its provisions, shall be deemed

dred sixty-five millimeters (five and seven-eighths and six and one-half inches) same as standard milk test bottles.

Fifty per cent nine gram long-neck bottles.—The same specifications in every detail as specified for the fifty per cent nine gram short-neck bottle shall apply for the long-neck bottle with the exception, however, that the total height of this bottle shall be between two hundred ten and two hundred thirty-five millimeters (eight and one-half and eight and seven-eighths inches) and that the total length of the graduation shall be not less than one hundred twenty millimeters.

The Standard Babcock Pipette.

Total length of pipette shall be not more than three hundred thirty millimeters (thirteen and one-fourth inches). Outside diameter of suction tube six to eight millimeters. Length of suction tube one hundred twenty millimeters. Outside diameter tube one hundred to one hundred twenty millimeters. Distance of graduation mark above bulb thirty to sixty millimeters. Nozzle straight. Delivery seventeen six-tenths cubic centimeters of water at twenty degrees C. in five to eight seconds.

All butter-fat and cream scales used for the purpose of determining the value or per cent of butter-fat content of milk or cream by the Babcock test shall be subject to the following specifications:

1. The scale shall be provided with a graduated face of at least ten divisions over which the pointer shall play.

2. The pointer must reach to the graduated divisions and shall terminate in a fine point to enable the readings to be made clearly and distinctly.

3. The clear interval between the divisions on the graduated face shall not be less than five one-hundredths inch.

4. All scales whose weight indications are changed by an amount greater than one-half the tolerance allowed, when set in any position on a surface making an angle of three degrees or approximately five per cent with the horizontal, shall be equipped with leveling screws and a device which will indicate when the scale is level: Provided, however, That the scale shall be rebalanced at zero each time its position is altered during the test.

5. The addition of one-half grain to the scale when loaded to capacity shall cause a movement of the pointer at least equal to one division on the graduated face.

6. The sensibility reciprocal and tolerance of cream test and butter-fat test scales shall be one half-grain (thirty milligrams). Every person, firm, company, association, corporation or agent thereof buying and paying for milk or cream on the basis of the amount of butter-fat contained therein as determined by the Babcock test shall use standard Babcock test bottles, pipettes and accurate weights and scales as defined in this act.

[Am. by Act No. 266, 1915.]

153. SEC. 3. It shall be unlawful for the owner, manager, agent or any employee of a cheese factory, creamery, condensed milk factory or milk depot or other place where milk or cream is tested for quality or value to falsely manipulate or under-read or over-read the Babcock test, or make settlements on any other basis than the correct reading of the Babcock test or any other contrivance used for determining the quality

or value of milk or cream where the value of said milk or cream is determined by the per cent of butter fat contained in the same or to make any false determination by the Babcock test or otherwise.

154. SEC. 4. Whoever shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than ten dollars nor more than fifty dollars for each and every offense or be imprisoned in the county jail not less than ten days nor more than thirty days.

SAUSAGE.

(Act No. 151, Public Acts, 1913.)

AN ACT providing for the protection of the public health and the prevention of fraud and deception, by prohibiting the sale, the offering for sale or exposing for sale or the having in possession with intent to sell, of adulterated or deleterious sausage; defining sausage; and prescribing the penalty for the violation hereof.

The People of the State of Michigan enact:

155. SECTION 1. It shall be unlawful for any person or persons, by himself, herself or themselves, or by his, her or their agents, servants or employes, to sell, offer for sale, expose for sale, or have in possession with intent to sell, sausage that is adulterated within the meaning of this act. Sausage when used in this act shall be deemed to include Bologna, Wiene-wurst and Frankforts.

156. SEC. 2. For the purpose of this act, sausage or sausage meat shall be held to be a comminuted meat from neat cattle or swine, or a mixture of such meats, either fresh, salted, pickled or smoked, with added salt and spices, and with or without the addition of edible animal fat, blood and sugar, or subsequent smoking. It shall contain no larger amount of water than the meats from which it is prepared contain when in their fresh condition.

157. SEC. 3. For the purpose of this act, sausage shall be deemed to be adulterated:

First, If it contains added water in excess of the quantity required to bring the amount up to that which the meats from which it is prepared contain immediately after slaughter;

Second, If it contains any cereal or vegetable flour;

Third, If it contains any coal-tar dye, boric acid or borates, sulphites, sulphur dioxide, sulphurous acid, or any other substances injurious or deleterious to health;

Fourth, If it contains any diseased, contaminated, filthy or decomposed substance; or is manufactured, in whole or in part, from a diseased, contaminated, filthy or decomposed substance, or a substance produced, stored, transported or kept in a way or manner that would render the article diseased, contaminated or unwholesome; or if it is any product of a diseased animal, or the product of any animal which has died other-

wise than by slaughter. Nothing in this act shall be construed as prohibiting the sale of sausage which when properly labeled shall conform to the following standard: Sausage shall not contain cereal in excess of two per cent. When cereal is added its presence shall be noted on the label or on the product. That water or ice shall not be added to it except for the purpose of facilitating grinding, chopping and mixing, in which case the added water or ice shall not exceed three per cent except as provided in the following paragraph. Sausages of the class which are cooked or smoked, such as Frankfort style, Vienna style and Bologna style, may contain added water in excess of three per cent, but not in excess of amount sufficient to make the sausage palatable. When water in excess of three per cent is added to this class of sausage, the statement "Sausage, water and cereal" shall appear on the label or on the product, but when no cereal is added, the addition of water need not be stated.

158. SEC. 4. Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars, nor more than two hundred dollars, or to undergo an imprisonment of not less than thirty days, nor more than sixty days, or both or either, in the discretion of the court.

159. SEC. 5. The dairy and food commissioner shall be charged with the enforcement of the provisions of this act.

WEIGHTS AND MEASURES.

(Act No. 168, Public Acts, 1913.)

AN ACT to provide for a state superintendent of weights and measures, state, county and city sealers and inspection of weights and measures, prescribing their powers and duties, providing penalties for fraud and deception in the use of false weights and measures and confiscation thereof, and repealing sections four thousand eight hundred eighty-two to four thousand eight hundred ninety-seven inclusive of the Compiled Laws of eighteen hundred ninety-seven.

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161. SEC. 2. The state dairy and food commissioner by virtue of his office shall be state superintendent of weights and measures during his term of office. His deputy shall be deputy superintendent of weights and

measures and all inspectors appointed by the dairy and food commissioner shall be state inspectors and sealers of weights and measures.

162. SEC. 3. The superintendent of weights and measures shall take charge of the standards adopted by this article as the standards of the state, and cause them to be kept in a safe and suitable place in the office of the superintendent from which they shall not be removed except for repairs or for certification and he shall take all other necessary precautions for their safe keeping. He shall maintain the state standards in good order and shall submit them at least once in ten years to the national bureau of standards for certification. He shall at least once in five years try and prove by the state standards all weights, measures and other apparatus which may belong to any county or city, and shall seal such when found to be accurate stamping on them the letter "C" and the last two figures of the year with seals which he shall have and keep for that purpose. He shall have and keep a general supervision of the weights, measures and weighing and measuring devices offered for sale, sold, or in use in the state. He shall, upon the written request of any citizen, firm, corporation or educational institution in the state test or calibrate weights, measures, weighing or measuring devices, and instruments or apparatus used as standards in the state. He, or his deputy, or inspectors, by his direction, shall at least once annually test all scales, weights, and measures used in checking the receipts and disbursements of supplies in every institution for the maintenance of which moneys are appropriated by the legislature, and he shall report in writing his finding to the supervisory board and to the executive officer of the institution concerned, and at the request of such board or executive officer the superintendent of weights and measures shall appoint in writing one or more employes then in the actual service of each institution, who shall act as special deputies without extra compensation for the purpose of checking the receipts and disbursements of supplies. He shall keep a complete record of standards, balances and other apparatus belonging to the state and take a receipt for same from his successor in office. He shall annually on the first day of July make to the governor a report of the work done by his office. The state superintendent or his deputy, or inspectors, at his direction, shall inspect all standards and apparatus used by the counties and cities at least once in five years and shall keep a record of the same. He, or his deputy, or inspectors, at his direction shall at least once in five years visit the various cities and counties of the state in order to inspect the work of the local sealers, and in the performance of such duties, he may inspect the weights, measures, balances, or any other weighing appliance of any citizen, firm, or corporation, and shall have the same power as the local sealer of weights and measures. The superintendent shall issue from time to time, regulations for the guidance of city and county sealers and the said regulations shall govern the procedure to be followed by the aforesaid officers in the discharge of their duties.

163. SEC. 4. The board of supervisors of each county and the commissioner or common council of each city who may in their discretion appoint a sealer under this act, shall procure at the expense of the county or city, and shall keep at all times, a complete set of weights and measures and other apparatus of such material and construction as said superintendent of weights and measures may direct. All such weights,

ery, or during the process of the delivery of said milk or, after said milk shall have been delivered in due course of business and in the ordinary manner.

205. SEC. 2. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof in a court of competent jurisdiction shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars, or by imprisonment in the county jail for not less than thirty days nor more than ninety days, or by both such fine and imprisonment in the discretion of the court.

FRUITS AND VEGETABLES.

(Act No. 207, Public Acts, 1913.)

AN ACT to prevent fraud and deception in the sale of Michigan grown fresh fruits and vegetables, and to provide penalties for violations of this act.

The People of the State of Michigan enact:

206. SECTION 1. In this act unless the contents otherwise requires, the term "closed package" shall be construed to mean a barrel, box, basket, carrier or crate, of which all the contents cannot readily be seen or inspected when such package is prepared for market. Fresh fruits or vegetables in baskets or boxes, packed in closed or open crates, and packages covered with burlap, tarlatan or slat covers shall come within the meaning of the term "closed package." None of the provisions of this act shall apply to other than Michigan grown fruits and vegetables.

207. SEC. 2. Every person who, by himself or by his agent or employe, packs or repacks fresh fruits or vegetables in closed packages intended for sale in the open market, shall cause the same to be marked in a plain and indelible manner as follows:

First, With his full name and address, including the name of the state where such fresh fruits and vegetables are packed, before such fresh fruits or vegetables are removed from the premises of the packer or dealer;

Second, The name and address of such packer or dealer shall be printed or stamped on said closed packages in letters not less than one-quarter inch in height.

208. SEC. 3. No person shall sell or offer, or expose or have in his possession for sale, in the open market, any fresh fruits or vegetables packed in a closed package and intended for sale, unless such package is marked as is required by this act.

209. SEC. 4. No person shall sell or offer, expose or have in his possession for sale, any fresh fruits or vegetable packed in a closed or open package, upon which package is marked any designation which represents such fruit as "No. 1," "Finest," "Best," "Extra Good," "Fancy,"

"Selected," "Prime," "Standard," or other superior grade or quality, unless such fruit or vegetables consist of well grown specimens, sound, of nearly uniform size, normal shape, good color, for the variety, and not less than ninety per cent free from injurious or disfiguring bruises, diseases, insect injuries or other defects, natural deterioration and decay in transit or storage excepted.

210. SEC. 5. No person shall sell or offer, expose or have in his possession for sale, any fresh fruits or vegetables packed in any package in which the faced or shown surface gives a false representation of the contents of such package, and it shall be considered a false representation when more than twenty per cent of such fresh fruits or vegetables are substantially smaller in size than or inferior in grade to, or different in variety from, the faced or shown surface of such package, natural deterioration and decay in transit or storage excepted.

211. SEC. 6. Every person who, by himself, his agent or employe, knowingly violates any of the provisions of this act shall for each such offense, be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding ten dollars, or by imprisonment in the county jail for a period not exceeding thirty days, or by both such fine and imprisonment in the discretion of the court.

TABLE GRAPES.

(Act No. 107, Public Acts, 1913.)

AN ACT to regulate the packing for shipment and sale of table grapes, and providing penalties for violation thereof.

The People of the State of Michigan enact:

212. SECTION 1. No grapes that are not ripe, or are the fruit of unhealthy vines, or are for any reason unhealthy or in a state of decay shall be packed for shipment by any grower, packer or shipper in any package or basket of less than sixteen pounds capacity.

213. SEC. 2. Any person or persons found guilty of violating any of the provisions of this act, in any court of competent jurisdiction, shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than ten dollars nor more than one hundred dollars, or by imprisonment in the county jail for not less than ten days nor more than ninety days, or by both such fine and imprisonment in the discretion of the court.

214. SEC. 3. It shall be the duty of the state dairy and food commissioner, his deputies and assistants, to enforce the provisions of this act.

COLLECTION OF REGISTRATION FEES BY CIVIL SUIT.

(Public Act No. 37, Session Laws, 1913.)

AN ACT to provide for the collection of registration, license and other fees due the state dairy and food department, by means of a civil suit in the state courts.

The People of the State of Michigan enact:

215. SECTION 1. Whenever any corporation, firm or person engaged as a dealer, manufacturer, storer or transporter of any food or beverage product for man or animal, doing business within the state shall for thirty days after the same becomes due refuse or neglect to pay any registration or license fee which the laws of Michigan require said corporation, firm or person to pay to the state dairy and food department, the state dairy and food commissioner may bring a civil suit in the name of the people of the state of Michigan for the use and benefit of the state dairy and food department for the recovery of said registration or license fee.

216. SEC. 2. Said suit may be commenced in the circuit court for the county of Ingham or in the circuit court of the county where the principal business office of such defendant corporation, firm or person shall be located and shall be prosecuted in like manner as in civil suits between individuals, and judgment and execution may follow in like manner and costs may be recovered to be taxed as in other civil cases, and all moneys recovered shall be paid into the state treasury for the use and benefit of the state dairy and food department: Provided, That no suit as authorized by this act, shall be commenced until thirty days after the defendant in such suit has been duly notified of his or her delinquency, either personally or by registered letter.

217. SEC. 3. All expenses incurred by the state dairy and food commissioner under this act shall be defrayed by the state dairy and food department out of its annual appropriation.

CARBONATED BEVERAGES, SYRUPS, EXTRACTS AND SOFT DRINKS.

(Act No. 288, P. A., 1915.)

AN ACT to regulate the manufacture and sale of carbonated beverages, syrups, extracts and soft drinks within the State and prescribe penalties for violation thereof.

The People of the State of Michigan enact:

218. SECTION 1. No person, firm or corporation shall manufacture and bottle for sale any carbonated beverages, soda water, grape juice, cider, mineral water, or other soft drink within this state without having first filed with the Dairy and Food Commissioner an application for a license, accompanied with a fee of ten dollars upon receipt of which application the Dairy and Food Commissioner shall issue to the person, firm or corporation making such application, a license to manufacture carbonated beverages, soda waters, grape juice, cider, mineral waters or other soft drinks as hereinafter provided. Said license shall run from one year from the date of the application, unless sooner revoked as herein provided and shall be renewed annually thereafter.

219. SEC. 2. No person, firm or corporation shall sell, offer for sale or have in their possession with intent to sell, any soda water syrup or extract, soft drink syrup, or extract bearing a distinguishing name or trade mark, without first registering the name or brand of the syrup or extract, and the name and address of the manufacturer thereof, with the Dairy and Food Commissioner. He or they shall also pay into the State treasury at the time of making such registration a license fee of five dollars for each and every brand of said syrup or extract that is sold or offered for sale. Said registration shall be renewed annually: Provided, That whenever any manufacturer, agent or seller shall have paid this fee, his agent or dealer using the same shall not be required to do so. All moneys collected by the Dairy and Food Commissioner under the provisions of this act shall be paid into the State treasury. The provisions of this section shall not apply to local sellers of soda water, grape juice, cider, or other carbonated beverages, as to syrups and extracts made by themselves for their own use exclusively. A manufacturer, jobber or dealer in every syrup, extract or soft drink required to be licensed under this section, shall, upon making application for such license, file with the Dairy and Food Commissioner a sample of said syrup, extract or soft drink for analysis, and said license shall not be granted by the Dairy and Food Commissioner unless he shall determine that said syrup, extract or soft drink is free from all harmful drugs and other ingredients that are injurious to health.

220. SEC. 3. The Dairy and Food Commissioner shall have the power to revoke any license issued under the provisions of this act, whenever it is determined by himself or any of his deputies, chemists or other

properly qualified official that any of the provisions of this act have been violated. Any person, firm or corporation whose license has been so revoked shall discontinue the manufacture of bottle carbonated beverages, soda waters, grape juice, cider or other mineral waters until the provisions of this act have been complied with and a new license issued. He may revoke such license temporarily until there is a compliance with such conditions as he may prescribe, or permanently for the unexpired period of such license.

221. SEC. 4. Before revoking any license, the Dairy and Food Commissioner shall give written notice to the licensee affected, stating that he contemplates the revocation of the same and giving his reasons therefor. Said notice shall appoint a time of hearing before said commissioner and shall be mailed by registered mail to the licensee. On the day of hearing, the licensee may present such evidence to the commissioner as he deems fit, and after hearing all the testimony, the commissioner shall decide the question in such manner as to him appears just and right.

222. SEC. 5. Any licensee who feels aggrieved at the decision of the commissioner, may appeal from said decision within ten days by writ of certiorari to the circuit court of the county where licensee resides and issue shall be framed in said court and a trial had and its decision shall be final.

223. SEC. 6. For the purpose of this act a bottled carbonated beverage, soda water, grape juice, cider or other soft drink, except pure fruit juices, shall consist of a beverage made from a pure cane or beet sugar syrup, containing pure flavoring materials, with or without added fruit acid, with or without added color and shall contain in the finished product not less than eight per cent sugar: Provided, That nothing in this act shall prohibit the use of any other harmless ingredient in the manufacture of carbonated beverages: And provided further, That whenever artificial coal tar colors are used nothing but the certified colors as approved by the federal government are permissible. The provisions of this section shall not apply to retailers who do not bottle soda water or other soft drinks, or to beverages made in imitation of beer, bitter drinks or other similar drinks. And all bottled carbonated beverages or other soft drinks not in compliance with the standards established by this act, shall be deemed to be adulterated.

224. SEC. 7. Whenever artificial colors or flavors are used in the manufacture of carbonated beverages, soda waters, grape juice, cider, mineral waters or other soft drinks the bottle or other container shall be distinctly labeled "Artificially colored and flavored." All ciders, fruit ades, fruit juices or other similar drinks that are made in imitation of the natural product shall be properly and distinctly labeled with the word "Imitation" followed by the name of the beverage. All beverages sold in bulk; or from open receptacles that contain artificial coloring or artificial flavors of any character, shall be so labeled, said labels to be prominently displayed on all stands, booths, or other places where said beverages are sold or dispensed. Labels for this purpose shall not be less than four inches wide and ten inches long, and shall contain the following:

"Artificially colored, artificially flavored," or "Artificially colored,

imitation flavor." When said beverages contain artificial color and natural fruit flavor, said labels shall indicate the presence of the artificial coloring as follows: "Artificially colored." When said beverages contain artificial flavors and no artificial coloring, they shall be labeled as follows: "Artificial flavor," or "Imitation.....flavor."

225. SEC. 8. All buildings, stores, factories, or other places where carbonated beverages, soda waters, grape juice, cider, mineral waters or other soft drinks are manufactured or bottled shall be well lighted and ventilated and shall be kept at all times in a sanitary condition. All machines, bottles, jars or other utensils used in the manufacture of carbonated beverages, soda water, mineral waters or other soft drinks shall be kept at all times in a clean and sanitary place and in a sanitary condition.

226. SEC. 9. All bottles used in the manufacture of carbonated beverages, soda waters, grape juice, cider, carbonated mineral waters or any other soft drink, before being filled shall be sterilized by soaking in a hot caustic solution of not less than one hundred and twenty degrees Fahrenheit that shall contain not less than five per cent caustic or alkali, expressed in terms of sodium hydrate, for a period of not less than five minutes, then thoroughly rinsed in pure water until free from alkali; or by any other suitable process that will properly sterilize the bottles.

227. SEC. 10. No bottles shall be used in the manufacture of carbonated beverages, soda waters, grape juice, cider, mineral waters or other soft drinks, in which the metal or rubber part of the stopper comes in contact with the beverage. The provisions of this section shall not apply to carbonated water put up in "siphons."

228. SEC. 11. Any person, firm or corporation who shall do any of the acts or things prohibited, or neglect or refuse to do any of the acts or things required by this act or in any way violate any of its provisions, shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the county jail for a period of not more than ninety days or by both such fine and imprisonment in the discretion of the court.

229. SEC. 12. The Dairy and Food Commissioner shall be charged with the enforcement of the provisions of this act.

STATE BRAND FOR BUTTER.

(Act No. 53, P. A., 1915.)

AN ACT to provide for a state brand for Michigan butter, for the purpose of insuring a higher standard of excellence and quality, a more uniform butter market, and to insure a more healthful product for consumption at home and abroad, and to regulate the use of such mark or brand.

The People of the State of Michigan enact:

230. SECTION 1. Any person, firm or corporation manufacturing butter in this state may use the brand, mark or label therefor as provided in this act.

231. SEC. 2. Said trade mark or brand and its use and regulation shall be in charge of and under the control of a commission of three members consisting of the state dairy and food commissioner, the president of the Michigan State Dairymen's Association and the president of the Michigan State Butter Maker's Association.

232. SEC. 3. The state trade mark or brand shall be controlled, used, manufactured and issued under such rules and regulations as may be found necessary from time to time by the said commission. Said commission or commissioners shall have power to make such changes in the rules and regulations for the use of said trade mark or brands as it may deem necessary from time to time.

233. SEC. 4. The rules governing the use of such trade mark or brand shall be published by and through bulletins issued by the State dairy and food department. Such labels, stamps or other means of imprinting such trade mark or brand upon the manufactured product or the receptacles containing the same, shall be furnished to those entitled to the use thereof by the state dairy and food department.

234. SEC. 5. The said commission is hereby directed and authorized to secure a copy-right under the laws of the United States for trade marks or brands and copy-rights for such trade mark or brand of butter. Said trade mark, brand, or label shall be of such size and design as the said commission shall designate and shall contain in prominent letters, the words, "Michigan butter, License Number, " and the words, "State Butter Control."

235. SEC. 6. Any person, firm or corporation desiring to use the brand or label provided for in this act in the manufacture or sale of butter shall make written application for a license therefor to the dairy and food commissioner, which application shall describe by location and name the creamery or factory in which such butter is to be manufactured, and give such other information as may be required. A license shall be granted to such person, firm or corporation to use such brand or label at the factory described in the application, if on investigation by the dairy and food commissioner, his deputy or duly authorized

assistants, it appears that all the provisions of this act and the rules and regulations by the commission have been complied with. Such license shall state that the brand or label provided for by the said commission may be used in connection with the manufacture or sale of butter from the factory described in such license. Such factories so described shall be given the same number as the serial number of the license.

236. SEC. 7. No person, firm or corporation shall use in the manufacture or sale of butter such brand or label without having first obtained a license therefor as provided in this act. Such license so granted may be revoked by the said commissioner if any of the conditions of this act or of the rules and regulations of the commission are not complied with. Such license so granted shall not be transferable.

237. SEC. 8. The use of any brand or mark for butter or butter substitute resembling the above brand or so near like it that it can be confounded with it, is prohibited.

238. SEC. 9. Any person, firm or corporation violating any of the provisions of this act shall be deemed guilty of a misdemeanor and on conviction thereof shall be fined not more than one hundred dollars or imprisoned in the county jail for not more than thirty days.

STANDARD MILK BOTTLES.

(Act No. 154, P. A., 1915.)

AN ACT to prevent fraud and deception in the sale of milk and cream, providing standard milk bottles and for the sealing thereof.

The People of the State of Michigan enact:

239. SECTION 1. On and after January one, nineteen hundred sixteen, bottles used for the sale of milk and cream in this state shall be of the capacity of half gallon, three pints, one quart, one pint, ten ounce, half pint, one gill filled full to the bottom of the lip. The following variations on individual bottles or jars may be allowed: Six drams above and six drams below on the half gallon; five drams above and five drams below on the three-pint; four drams above and four drams below on the quart; three drams above and three drams below on the pint; two and one-half drams above and two and one-half drams below on the ten ounce; two drams above and two drams below on the half pint; two drams above and two drams below on the gill. But the average contents of not less than twenty-five bottles selected at random from at least four times the number tested must not be in error by more than one-quarter of the tolerances: One and five-tenths drams above and one and five-tenths drams below on the half gallon; one and twenty-five hundredths drams above and one and twenty-five hundredths drams below on the three pint; one dram above and one dram below on the quart; seventy-five hundredths drams above and seventy-five hundredths drams below

on the pint; seventy-five hundredths drams above and seventy-five hundredths drams below on the ten ounce; five-tenths drams above and five-tenths drams below on the half pint; five-tenths drams above and five-tenths drams below on the gill. Bottles or jars used for the sale of milk shall have clearly blown or otherwise permanently marked in the side of the bottle, the capacity of the bottle and the word "sealed" and in the side or bottom of the bottle the name, initials or trade mark of the manufacturer and designating number, which designating number shall be different for each manufacturer and may be used in identifying the bottles. The designating number shall be furnished by the state superintendent of weights and measures upon application by the manufacturer, and upon filing by the manufacturer of a bond in the sum of one thousand dollars with sureties to be approved by the attorney general, conditioned upon their performance of the requirements of this section. A record of the bonds furnished, the designating numbers, and to whom furnished, shall be kept in the office of the superintendent of weights and measures.

240. SEC. 2. On and after January one, nineteen hundred sixteen, any manufacturer who sells milk or cream bottles to be used in this state, which do not comply as to size and markings with the provisions of this act, shall suffer the penalty of five hundred dollars, to be recovered by the attorney general in an action against the offender's bondsmen, to be brought in the name of the people of the state. Any dealer who uses, for the purpose of selling milk or cream, jars or bottles purchased after this law takes effect, which do not comply with the requirements of this act as to markings and capacity, shall be deemed guilty of using false or insufficient measure.

241. SEC. 3. Sealers of weights and measures are not required to seal bottles or jars for milk or cream marked as in this act provided, but they shall from time to time make tests on individual bottles used by the various firms in the territory over which they have jurisdiction, in order to ascertain whether the above provisions are being complied with and they shall report violations found immediately to the superintendent of weights and measures. Any dealer who knowingly uses for the purpose of selling milk or cream, jars or bottles purchased after this law takes effect, which do not comply with this act as to marking the capacity, shall be guilty of a misdemeanor and be punished accordingly.

PASTEURIZATION.

(Act No. 93, P. A., 1915.)

AN ACT to provide for pasteurizing the by-products of cheese factories, creameries, skimming stations and other places where milk is received and distributed.

The People of the State of Michigan enact:

242. **SECTION 1.** Every owner, operator or manager of a cheese factory, creamery, skimming station or other place where milk is received and the by-products distributed, shall, before returning to or delivering to any person or persons any skim milk, whey, buttermilk, or other milk by-products to be used for feeding purposes for farm animals, cause such skim milk, whey, buttermilk, or other milk by-products to be thoroughly pasteurized by heating the same to one hundred forty-five degrees Fahrenheit and holding at that temperature for not less than thirty minutes or to one hundred eighty-five degrees without holding: Provided, That the provisions of this act shall not apply to cheese factories or creameries that pasteurize the milk or cream prior to manufacture.

243. **SEC. 2.** Whoever violates any of the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine of not more than one hundred dollars, or imprisonment in the county jail for not exceeding ninety days, or both, in the discretion of the court.

DECEPTIVE ADVERTISING.

(Act No. 276, Public Acts, 1913.)

AN ACT to regulate and prohibit false, deceptive, fraudulent and misleading advertising in newspapers, periodicals or other publications, or by circulars or handbills.

The People of the State of Michigan enact:

SECTION 1. Any person, firm, corporation or association, or the agent or manager of any such firm, corporation or association who, with intent to sell or in anywise dispose of merchandise, securities, service or anything offered by such person, firm, corporation or association, directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto, or to acquire title thereto, or an interest therein, knowingly makes, publishes, disseminates, circu-

lates, or places before the public, or knowingly causes directly or indirectly to be made, published, disseminated, circulated or placed before the public, in this State, in a newspaper or other publication, or in the form of a book, notice, handbill, poster, bill, circular, pamphlet, or letter, or in any other way, an advertisement of any sort regarding merchandise, securities, service or anything so offered to the public, which advertisement contains any assertion, representation or statement of fact which is untrue, deceptive or misleading, shall be guilty of a misdemeanor, and shall be punished by a fine of not less than twenty-five dollars nor more than two hundred dollars, or by imprisonment in the county jail for a period of not more than ninety days, or by both such fine and imprisonment in the discretion of the court: Provided, That the publisher or printer of any newspaper or other periodical shall not be liable under this act for publishing deceptive advertising received from any other person: Provided further, That said printer or publisher is not aware of the deceptive character of the advertising so received.

OFFENSES AGAINST THE PUBLIC HEALTH.

(C. L. 11404) Section 1. If any person shall knowingly sell any kind of diseased, corrupted or unwholesome provisions, whether for meat or drink, without making the same fully known to the buyer, he shall be punished by imprisonment in the county jail not more than six months, or by fine not exceeding two hundred dollars.

(C. L. 11405) Section 2. If any person shall fraudulently adulterate, for the purpose of sale, any substance intended for food, or any wine, spirits, malt liquor, or other liquor intended for drinking, he shall be punished by imprisonment in the county jail not more than one year, or by fine not exceeding three hundred dollars, and the article so adulterated shall be forfeited and destroyed.

(C. L. 11406) Section 3. If any person shall fraudulently adulterate for the purpose of sale, any drug or medicine, in such manner as to render the same injurious to health, he shall be punished by imprisonment in the county jail not more than one year, or by fine not exceeding four hundred dollars, and such adulterated drugs and medicines shall be forfeited and destroyed.

MICHIGAN SUPREME COURT.

DECISIONS RELATIVE TO DAIRY AND FOOD LAWS.

PEOPLE v. SNOWBERGER.

(Opinion filed May 25, 1897.)

Adulteration of Food—Statutory Offenses—Intent—Police Power.

1. It is competent for the legislature under the police power, to provide for the protection of the public health by making it an offense punishable by fine and imprisonment to sell adulterated food or drink, irrespective of the seller's knowledge of the adulteration.
2. Act No. 193, Public Acts 1895, prohibits the manufacture or sale of adulterated articles of food or drink, and prescribes what shall be deemed adulteration within the meaning of the act. Sec. 8 forbids any person from *knowingly* offering for sale cheese which is falsely labeled; this being the only case in which knowledge is expressly made an element of an offense designated by such statute. *Held*, that proof of guilty knowledge or intent is not essential to the conviction of one who sells adulterated food.

(113 Mich. 86.)

Exceptions before judgment from Monroe; Kinne, J.

Michael Snowberger was convicted of selling adulterated food, in violation of Act No. 193, Public Acts of 1895.

Conviction affirmed.

William Look and Ira G. Humphrey, for appellant.

Bowen, Douglas & Whiting, of counsel.

Willis Baldwin, Prosecuting Attorney, for the people.

Long, C. J.: Respondent was convicted under an information charging that: "On the 19th day of April, A. D., 1897, at the city of Monroe, and in the county aforesaid, Michael Snowberger did offer for sale, and sell, to Carl Franke, an adulterated article of food, to wit: A quantity of mustard, to wit, a quarter of a pound, colored and adulterated with tumeric, whereby the said mustard, as an article of food, was damaged and its inferiority concealed and whereby it was made to appear of better and of greater value than it really was, the same not being a mixture or compound recognized as ordinary articles or ingredients of articles of food; contrary to the form of the statute in such case made and provided," etc.

The information was filed under Act No. 193, Public Acts 1895, entitled "An act to prohibit and prevent adulteration, fraud and deception in the manufacture and sale of articles of food and drink." The act provides:

Section 1. "No person shall within this State manufacture for sale, offer for

sale, or sell any article of food which is adulterated within the meaning of this act."

Section 2. "The term food as used herein, shall include all articles used for food or drink, or intended to be eaten or drunk by man, whether simple, mixed or compound."

Section 3. "An article shall be deemed to be adulterated within the meaning of this act: One, If any substance or substances have been mixed with it so as to lower or depreciate or injuriously affect its quality, strength or purity; Two, If any inferior or cheaper substance or substances have been substituted wholly or in part for it; Three, if any valuable or necessary constituent or ingredient has been wholly or in part abstracted from it; Four, If it is sold under the name of another article; Five, If it consists wholly or in part of a diseased, decomposed, putrid, infected, tainted or rotten animal or vegetable substance or article, whether manufactured or not, or in case of milk, if it is the product of a diseased animal; Six, If it is colored, coated, polished or powdered, whereby damage or inferiority is concealed, or if by any means it is made to appear better or of greater value than it really is; Seven, If it contains an added substance or ingredient which is poisonous or injurious to health: Provided, That the provisions of this act shall not apply to mixtures or compounds recognized as ordinary articles or ingredients of articles of food, if each and every package sold or offered for sale be distinctly labeled as mixtures or compounds, and are not injurious to health."

Section 19 makes any violation of the act a misdemeanor and provides a penalty by a fine of not less than \$100 nor more than \$500, or by imprisonment in the county jail, etc.

On the trial respondent admitted, that on the 19th day of April, 1897, he, at the city of Monroe, this State, offered for sale and did sell to Carl Franke a quantity of mustard, to wit, a quarter of a pound which was afterwards found upon a chemical examination to be colored and adulterated with tumeric, whereby the said mustard as an article of food was damaged and its inferiority concealed, and it was thereby made to appear of greater and better value than it really was; the same not being a mixture or compound recognized as an ordinary article or ingredient of articles of food.

But he claimed that said article of mustard, so sold was purchased by him as a pure article in good faith, and that he believed at the time of the purchase by him and also at the time of the sale to the said Franke, that the same was pure mustard, free from any coloring and adulteration with tumeric or any other coloring or adulterant, and that no inferiority was concealed whereby it was made to appear of greater or better value than it really was; that at the time he purchased the same he asked for pure mustard and that the same was warranted to him as pure; that he did not make or cause to have made a chemical examination of the same and did not inform himself or endeavor to ascertain the methods of determining pure from impure mustards, but relied upon the representations of his vender and the appearance of the article to the eye; and that he did not intend to violate the law.

From such conviction respondent appeals.

It is the contention of counsel for respondent that it was the intent of the legislature to provide by the act that no person should be convicted and punished for selling adulterated food or drink without showing that he knew the same to be adulterated; that the information does not charge such knowledge, and the proofs disclosed that respondent acted in good faith and in the belief that the article sold was pure and unadulterated.

The act cannot be so construed. The offense under the act consists in selling an article intended to be eaten or drunk which is adulterated. Section 8 of the acts shows conclusively that the legislature did not intend to make criminal intent or guilty knowledge a necessary ingredient of the offense. As a rule there can be no crime without a criminal intent; but this rule is not universal.

In *People v. Roby*, 52 Mich. 577 (50 Am. Rep. 270), the respondent was convicted of the offense under the statute of keeping his saloon open on Sunday. It was there said: "It is contended that to constitute an offense under the section referred to (How. Stat., Sec. 2274), there must be some evidence tending to show an intent on the part of the respondent to violate it. * * * * The section under which Roby is prosecuted makes the crime consist, not in the affirmative act of any person, but in the negative conduct of failing to keep the saloon closed. As a rule there can be no crime without a criminal intent; but this is not by any means a universal rule. One may be guilty of the high crime of manslaughter when his only fault is gross negligence, and there are many other cases where mere neglect may be highly criminal. Many statutes which are in the nature of police regulations, as this is, impose criminal penalties irrespective of any intent to violate them; the purpose being to require a degree of diligence for the protection of the public which shall render violation impossible."

Many cases are cited in that case where convictions were sustained although the element of guilty knowledge was lacking. Thus in Massachusetts a person may be convicted of the crime of selling intoxicating liquors as a beverage though he did not know it to be intoxicating.

Com. v. Boynton, 2 Allen, 160.

And of the offense of selling adulterated milk, though ignorant of its adulteration.

Com. v. Farren, 9 Allen, 489.

Com. v. Nichols, 10 Allen, 199.

Com. v. Waite, 11 Allen, 264.

Com. v. Smith, 103 Mass. 444.

In Missouri a magistrate may be liable to the penalty for performing the marriage ceremony for minors without consent of parents or guardians, though he may suppose them to be of the proper age.

Beckham v. Nacke, 56 Mo., 546.

Where the killing and sale of a calf under a specified age is prohibited there may be a conviction though the party was ignorant of the animal's age.

Com. v. Raymond, 97 Mass., 567.

In *People v. Welsh*, 71 Mich. 548, this court in speaking of *People v. Roby*, supra, said: "When a statute does not make intent an element of the offense, but commands an act to be done or omitted which in the absence of the statute might have been done or omitted without culpability, ignorance of the fact or state of things contemplated by the statute will not excuse its violation;" citing:

State v. Hartfield, 24 Wis., 60.

In the late case in this court of *Walcott v. Judge of Superior Court*, 112 Mich. 311, the relator, as prosecuting attorney of the county, filed an information against one Fred Saunders, charging him with being engaged in selling liquor without giving the bond required by the statute. The bond was fair upon its face, but one of the sureties, it appears was disqualified under section 2282d1, 3 How. Stat. The information did not allege that respondent had knowledge of this defect in the bond. The information was quashed by the court below, and the relator asked the aid of mandamus to compel the respondent to reinstate the case. It was said by this court in the majority opinion: "It was the intention of the legislature to make the execution and delivery of the prescribed bond a condition precedent to sale, and to require the person desiring to engage in the business mentioned to assume the responsibility of knowing that the bond when presented complies in all essential particulars with the law. He must know that his sureties are males, that they are resident freeholders of the township, village or city in which the business is to be carried on, that they hold none of the offices prohibited by the act, and that at the time the bond is filed neither is a surety upon more than two bonds required by the act."

It appeared that one of the sureties was already upon more than two bonds; and the writ was granted compelling the respondent to reinstate the case. The case of *People v. Roby* was cited in that case in support of the proposition that intent was not an ingredient of the offense.

These regulations are under the police power in the State. Undoubtedly it was competent for the legislature to prohibit the sale of adulterated articles of food and drink. The police power of the State extends to the protection of the health as well as of the lives and property of the citizens. Generally it is for the legislature to determine what laws and regulations are needed to protect the public health and secure the public comfort and safety. If it passes an act ostensibly for the public health and thereby destroys or takes away the property of the citizen or interferes with his liberty it is for the courts to determine whether it relates to and is appropriate to promote such public health. Under the police power the conduct of individuals and the use of property may be regulated so as to interfere to some extent with the freedom of the one and the enjoyment of the other. It cannot be doubted that the legislature intended by this act to protect the public against the harmful consequences of sales of adulterated food, and to the end that its purpose might not be defeated to require the seller at his peril to know that the article which he offers for sale is not adulterated.

As was said by the supreme court of Ohio, in *State v. Kelly*, 54 Ohio St. 166: "If this statute had imposed upon the state the burden of proving * * * his knowledge of its adulteration, it would thereby have defeated its declared purpose."

In *State v. Smith*, 10 R. I. 260, the court, in speaking of the offense of selling adulterated milk, said: "Counsel for defendant asked the court to charge that there must be evidence of a guilty intent on the part of the defendant and of a guilty knowledge in order to convict him. Our statute in that provision of it, under which this indictment was found does not essentially differ from the statute of Massachusetts, and there previous to the enactment of our statute the supreme court had deter-

mined that a person might be convicted although he had no knowledge of the adulteration; the intent of the legislature being that the seller of milk should take upon himself the risk of knowing that the article he offers for sale is not adulterated."

Statutes in many states have been passed providing that whoever sells, or keeps or offers for sale adulterated milk, or milk to which water or other foreign substance has been added shall be punished, etc. Under these statutes it has been decided many times that risk is upon the seller of knowing that the article he offers for sale is not adulterated, and that it is not necessary in an indictment under such a statute to allege or prove criminal intent or guilty knowledge.

Com. v. Smith, 103 Mass., 444.

Com. v. Warren, 160 Mass., 533.

People v. Clipperly, 101 N. Y., 634.

The same rule that no criminal intent is necessary has been held to apply under an act forbidding the sale of oleomargarine or other imitation of dairy products, unless express notice be given to the purchaser.

Bayles v. Newton, 50 N. J. L., 549.

Com. v. Gray, 150 Mass., 327.

The English rule is in keeping with the doctrine in this country on this subject.

Roberts v. Egerton, L. R., 9 Q. B., 494.

The statute not requiring knowledge on the part of the seller to make the offense complete, we are satisfied that the conviction must be sustained. No case has been cited, and we are not able to find one, where a contrary doctrine is laid down. The act may work hardship in many cases; but that question is one to be addressed to the legislature and not to the courts. As we have said, it was within the power of the legislature to pass the act making it an offense punishable with fine and imprisonment to sell adulterated food or drink, although the person selling the same has no knowledge that it is adulterated. Under this statute one making sales must do so at his peril.

The conviction is affirmed.

Grant, J., did not sit. The other justices concurred.

PEOPLE v. WORDEN GROCERY CO.

(Opinion filed December 6, 1898.)

Constitutional Law—Act to Prevent Sale of Adulterated Vinegar—Complaint—Reasonableness of Statute—Defense.

1. The title to an act reading "An act in relation to the manufacture and sale of vinegar, and to repeal Act No. 224 of the Public Acts of 1889, approved, etc., held broad enough to support an enactment to prevent deception in the sale of vinegar or to prevent adulteration of vinegar.
2. A conviction for a sale of "fermented cider vinegar," which was not up to the standard prescribed by Act No. 71, Public Acts of 1897, may be had under a complaint drawn under section 2 of the act.
3. The question as to whether the requirements of an act passed to prevent the sale of adulterated vinegar are such as to render the act unreasonable cannot be determined by the courts and does not raise a question of fact for determination by a jury.
4. Where a sample of vinegar is taken from a dealer for the purpose of testing it to see if it conforms to the standard required by law it is not necessary that a sample be left with the dealer.
5. A prosecution for a sale of vinegar in violation of Act No. 71, Public Acts of 1897, cannot be defended on the ground that the person so manufacturing or selling vinegar below the standard has no knowledge that it is not within the standard prescribed.

Error to the circuit court of Kent county; Allen C. Adsit, J.

Appeal of the Worden Grocer Co. from a conviction of a violation of Act No. 71, Public Acts of 1897. Affirmed.

Frank A. Rodgers, Prosecuting Attorney; Benn M. Corwin, Assistant Prosecuting Attorney, for the people.

Rood & Hindman, for respondent.

Long, J.: The complaint in this cause charges that the defendant: "On February 5 1898, did unlawfully sell and deliver to John T. Owens of Benton Harbor, Michigan, a large quantity, to wit: One barrel of vinegar which was not then and there in compliance with the provisions of Act No. 71, Public Acts, 1897, in this, viz.: That said vinegar was sold as "fermented cider vinegar" and branded as such; that said vinegar contained less than one and three-fourths per cent by weight upon full evaporation (at the temperature of boiling water) of solids contained in the fruit from which said vinegar is fermented, to wit: One and fifty-one one-hundredths per cent of solids; and said vinegar contained less than two and a half tenths of one per cent ash or mineral matter, the same being the product of the material from which said vinegar was manufactured, to wit: Eight one-hundredths of one per cent of ash or mineral matter, against the form of the statute in such case made and provided," etc.

The cause was commenced in the police court, and, being removed to the circuit, came on to be heard before a jury. The defendant refused to plead, and counsel for defendant thereupon made a motion to quash the complaint and summons for several reasons which will hereafter be discussed. The court upon the trial directed a verdict of guilty, and the cause comes to this court on exceptions before judgment.

The title of the act reads: "An act in relation to the manufacture and sale of vinegar, and to repeal Act No. 224 of the Public Acts of 1889, approved," etc. Sections one and two of the act, being the sections in question, provide:

"Section 1. The People of the State of Michigan enact, That no person shall manufacture for sale, offer or expose for sale, sell or deliver, or have in his possession with intent to sell or deliver, any vinegar not in compliance with the provisions of this act. No vinegar shall be sold as apple, or orchard or cider vinegar, which is not the legitimate product of pure apple juice, known as apple cider or vinegar not made exclusively of said apple cider or vinegar into which foreign substance, drugs or acids have been introduced, as may appear upon proper test, and upon said test, shall contain not less than one and three-fourths per cent, by weight, of cider vinegar solids upon full evaporation at the temperature of boiling water.

"Section 2. All vinegar made by fermentation and oxidation without the intervention of distillation shall be branded 'fermented vinegar' with the name of the fruit or substance from which the same is made. And all vinegar made wholly or in part from distilled liquor shall be branded 'distilled vinegar,' and all of such distilled vinegar shall be free from coloring matter added during or after distillation and from color other from that imparted to it by distillation. And all fermented vinegar not distilled shall contain not less than one and three-fourths per cent, by weight, upon full evaporation (at the temperature of boiling water) of solids, contained in the fruit or grain from which said vinegar is fermented, and said vinegar shall contain not less than two and a half tenths of one per cent ash or mineral matter the same being, the product of the material from which said vinegar is manufactured. And all vinegar shall be made wholly from the fruit or grain from which it purports to be or is represented to be made, and shall contain no foreign substance and shall contain not less than four per cent, by weight, of absolute acetic acid."

It appears by the testimony that the defendant, a Michigan corporation doing business at Grand Rapids, on February 5, 1898, sold a barrel of vinegar to one John T. Owens of Benton Harbor. The sale is admitted. A sample of the vinegar was taken from this barrel and analyzed by the State Analyst, Mr. Fred H. Borradaile. The correctness of this analysis is not disputed. This analysis showed that the vinegar did not comply with the requirements of the statute in that it did not contain the amount of solids nor the amount of ash or mineral matter required.

The contentions made by counsel for defendant mostly relate to the validity of the act.

1. It is contended that the title to the act does not express any object; that the act was intended to prevent deception in the sale of vinegar or to prevent adulteration of vinegar, but that no such object is expressed in the title; and that the act is therefore in conflict with section 20 of article 4 of the constitution of this State, which provides that: "No law shall embrace more than one object, which shall be expressed in its title."

We think this contention sufficiently answered by what was said by this court in *Soukup v. VanDyke*, 109 Mich. 681. There the title was: "An act relative to justices' courts in the city of Grand Rapids." It was said: "The title is sufficient if it fairly and reasonably announces the object and that is a single one. If this requirement be observed, the legislature must determine for itself how broad and comprehensive shall

be the object of a statute and how much particularity shall be employed in the title in defining it."

In *People v. Kelly*, 99 Mich. 82, the title under discussion was: "An act relative to disorderly persons, and to repeal," etc.

See also:

State v. County Judges, 2 Iowa, 280.

McAunich v. The Miss. & Mo. R. R. Co., 20 Iowa, 342.

2. Counsel contend that the complaint being drawn under section two of the act, no conviction can follow; that if any violation of the law be found, it is of section one and not of section two of the act; that, therefore, the complaint was drawn under the wrong section.

This contention cannot be sustained. It is plain from the reading of these sections that the legislature intended that all fermented vinegar should come up to the required standard, whether made from fruit or grain.

3. The defendant contends that the act is unreasonable and therefore void as beyond the police power of the State, in that the test for cider vinegar in regard to solids is arbitrary, unscientific and not calculated to accomplish the end sought by the legislature, viz: To protect the public health against spurious vinegar; that such test is no test, because:

a. Said solids and ash are indifferent ingredients of vinegar from a hygienic standpoint.

b. Their comparative absence or presence is not an essential ingredient of pure apple cider vinegar.

c. A vinegar can be manufactured which will satisfy the requirements of the statute and yet contain no materials from apples or the product of apples.

d. A pure apple cider vinegar is frequently made which is below the requirements of the statute in solids and ash.

e. The less proportion of solids is a proof of greater purity in the vinegar and of its better keeping qualities.

These questions might very properly be addressed to the legislature, but are matters with which the court has nothing to do. It is not a part of the functions of the court to investigate the facts entering into questions of public policy merely. Under our system that power is lodged in the legislative branch of the government. It belongs to that branch to determine primarily what measures are appropriate or needful for the protection of the public morals, the public health or the public safety.

Barton v. McWhinney, 85 Ind., 481.

Mugler v. Kansas, 123 U. S., 660.

Powell v. Pennsylvania, 127 U. S. 685.

In *People v. Snowberger*, 113 Mich. 92, it was said by this court: "The act may work hardship in many cases, but that question is one to be addressed to the legislature and not to the courts."

The question of the reasonableness of the acts found in many states relative to the sale of milk below a certain standard has been frequently raised in the courts, and the acts upheld.

In *Com. v. Evans*, 132 Mass. 11, the court passing upon such a statute said: "The intention of the legislature and the practical operation of

this section in connection with the third section is to provide that it shall be unlawful to sell milk containing less than thirteen per centum of milk solids. This belongs to the class of police regulations designated to prevent frauds and to protect the health of the people, which it is within the constitutional power of the legislature to enact."

In *State v. Smyth*, 14 R. I. 100, the court said: "It was the purpose of the statute to prohibit, not only the dealing in milk which had been adulterated, but also in milk of such inferior quality as to fall below the standard named in section three. It is equally a fraud on the buyer, whether the milk which he buys was originally good and has been deteriorated by the addition of water or whether in its natural state it is so poor that it contains the same proportion of water as that which has been adulterated." See also:

State v. Newton, 45 N. J. L., 469.
Bertholf v. O'Reilly, 74 N. Y., 509.
State v. Campbell, 64 N. H., 403.
10 Am. St. Rep., 419.

But counsel contend that the reasonableness of this act is a question of fact for the jury to determine from the expert chemical evidence.

This question is neither for the court nor the jury to determine. In *People v. Clipperly*, 101 N. Y. 634, that very question was discussed and decided adversely to the claim here. It was said: "The defendant takes the broader ground that the legislature cannot under the constitution prohibit the sale of milk drawn from healthy cows which in its natural state falls below standard fixed by the act, unless such milk, or the articles made from it, are in fact unwholesome or dangerous to public health. How is that question of fact to be determined? The court cannot take judicial notice whether milk below the standard is or is not unwholesome or dangerous to public health. Is that to be a question for the jury? If so, the court must charge a jury in each case that if they find milk below that standard to be unwholesome, then the statute is constitutional; if they find it to be wholesome, then the statute is unconstitutional. Evidently a constitutional question cannot be settled, or rather, unsettled in that way. The constitutionality would vary with the varying judgments of juries."

In the emery wheel case before us, in *People v. Smith*, 108 Mich., p. 534, a somewhat similar question was discussed. It was said: "If the courts find the plain provisions of the constitution violated, or if it can be said that the act is not within the rule of necessity in view of facts of which judicial notice may be taken, then the act must fall; otherwise it should stand."

See also:

People v. Girard, 145 N. Y., 109.
(45 Am. St. Rep. 595.)

4. Counsel also contend that defendant was not allowed, nor could it obtain, a sample of the vinegar in question for analysis, and was deprived of the right to produce evidence as to the amount of solids in the vinegar; and was thus deprived of property without due process of law.

The record shows that the defendant was not prevented from getting a sample of the vinegar by any person interested in the prosecution of the

suit. The record shows that the only effort it made to get such sample was a letter written to Mr. Owens who had bought and paid for the vinegar, requesting him to return it, to which the defendant received no reply, and it does not appear that Mr. Owens had any of the vinegar left at that time. No sample was left with the defendant by the prosecution; nor was this necessary.

Com. v. Coleman, 157 Mass., 460.

5. This statute forbids the manufacture and sale of vinegar not in compliance therewith; and persons manufacturing or selling vinegar below the standard do so at their peril. It is no defense that the person so manufacturing or selling vinegar below the standard has no knowledge that it is not within the standard prescribed.

People v. Snowberger, 113 Mich., 86; 71 N. W. R., 497.

We have examined the other questions raised, but do not deem it necessary to discuss them. They relate mostly to offers of testimony which the court below ruled out; and, we think, properly.

The testimony was uncontradicted that the vinegar sold was not in compliance with the statute. The sale was admitted.

The court was not in error in directing the verdict. The conviction must be affirmed.

Grant, C. J., did not sit. The other justices concurred.

PEOPLE v. DETTENTHALER.

GROSVENOR v. JACKSON CIRCUIT JUDGE.

(Opinions filed December 6, 1898.)

Constitutional Law—Passage of Act Without Enactment Clause—Constitutional Provision Mandatory—Addition of Clause by Governor—
Act 76, Laws of 1897, Invalid.

1. The provision in the Michigan State constitution, found in Sec. 48 of Art. IV., that all laws shall be styled, "The People of the State of Michigan enact," is mandatory and the passage of an act without the enactment clause renders the act invalid.
2. The addition of the enacting clause by the Governor before affixing his signature will not render the law valid which was passed without an enactment clause.
3. Act No. 76, Laws of 1897, being "An act to prevent deception in the manufacture and sale of imitation butter" held to be invalid because of the passage of the act without an enactment clause was not rendered valid by the addition of such clause by the Governor before affixing his signature to the act.

Error to the superior court of Grand Rapids; Edwin A. Burlingame, judge.

Exceptions taken by Frank J. Dettenthaler from a conviction of a violation of the pure food law.—Reversed and no new trial.

Frank D. Rodgers, Prosecuting Attorney, (Rodgers, McDonald & Corwin of counsel), for the people.

Rood & Hindman, and E. F. Sweet, for respondent.

Certiorari by Elliot O. Grosvenor, Dairy and Food Commissioner, to review the action of the Jackson circuit judge in denying a mandamus. Affirmed.

John G. Hawley and Benn M. Corwin, for relator.

Rood & Hindman and E. F. Sweet, for respondent.

Hooker, J.: These cases involve the validity of Act No. 76, Public Acts, 1897, which is as follows:

"An act to prevent deception in the manufacture and sale of imitation butter."

Section 1. The People of the State of Michigan enact, That no person, by himself or his agents, or servants, shall render or manufacture, sell, offer for sale, or have in his possession with intent to sell, any article, product or compound made wholly or in part out of any fat, oil or oleaginous substance or compound thereof, not produced from unadulterated milk or cream from the same, which shall be in imitation of yellow butter produced from pure unadulterated milk or cream from the same: Provided, That nothing in this act shall be construed to prohibit the manufacture or sale of oleomargarine in a separate and distinct form, and in such manner as will advise the consumer of its real character, free from coloration or ingredient, that causes it to look like butter.

Sec. 2. Whoever violates any of the provisions of section one (1) of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars, nor more than five hundred dollars, and the costs of prosecution, or by imprisonment in the county jail, or State House of Correction and Reformatory at Ionia, for not less than six months nor more than three years, or by both such fine and imprisonment in the discretion of the court for each and every offense.

Approved April 15, 1897.

The evidence in the first entitled cause shows that the defendant was convicted of the alleged offense of selling oleomargarine in contravention of this act.

In the other a complaint was made of a similar act to a justice, who refused to issue the warrant, and on application the circuit court denied a mandamus to compel it. The cases raise substantially the same questions, and were argued, and will be considered together. The validity of the law is questioned. The record shows that this was a senate bill and passed the senate without the constitutional enacting clause. The records of the house show that the bill was reported by the committee on agriculture and the committee of the whole, without amendment, and with the recommendation that it be passed. Under the head of "third reading of bills upon passage," the record of the house shows that "pending the third reading of the bill, Mr. Chamberlain moved that the bill be recommitted to the committee of the whole, which motion did not prevail. The bill having been read a third time, and the question being upon its passage pending the taking of the vote, Mr. Graham demanded the previous question. The demand was seconded. The question being, 'Shall the main question be now put?' The same was ordered. The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows: * * * yeas 56, nays 19." As this is the only time the bill was before the house, we must find that the bill passed the

house without an enacting clause, unless the contrary can be shown by other evidence. Counsel undertook to show that it was amended in this particular, by the records of the senate, and the testimony of the clerk of the house. The evidence is in brief, that previous to the passage of the bill in the house the clerk noticed the absence of the enacting clause, and brought it to the attention of the house, and said that he would enter one, and accordingly wrote the words in the original bill, i. e., the one which was then before the house. He did not testify that the house took any action upon it, or that any record was made of it.

The senate record shows that the bill was substantially returned to the senate, accompanied by a letter from the clerk of the house, reading as follows:

"House of Representatives.

"Lansing, April 7, 1897.

"To the president of the Senate:

"Sir—I am instructed by the House to return to the Senate the following bill: Senate bill No. 6, file No. 24, entitled

"'A bill to prevent deception in the manufacture and sale of imitation butter' and to inform the Senate that the House has amended the same as follows: By inserting in line 1, Section 1, after the words 'Section 1,' the words 'The People of the State of Michigan enact.'

Very respectfully,

"LEWIS M. MILLER,

"Clerk of the House of Representatives.

"In the passage of which, as thus amended, the House has concurred by a majority vote of all the members elect."

It further appears that the senate concurred in such amendment.

We must determine, therefore, whether the house is shown to have amended the bill by inserting an enacting clause and if not whether the law is valid without it.

The most that can be claimed is that there is oral testimony, that the clerk announced its absence and stated that he would supply. Inferentially perhaps we may say that there was no objection made, but the evidence is silent as to what, if anything, occurred. There is nothing but this inference of silence which imports acquiescence in the amendment. There is nothing to show definite action by the house which alone had power to amend the bill before it. So that if the clause is essential to the validity of the act we need not discuss the propriety of admitting parol evidence to prove an amendment which should be shown by the record if one was authorized.

See Attorney General v. Rice, 64 Mich. 391.

Hart v. McElroy, 72 Mich. 446.

Sackrider v. Supervisors, 79 Mich. 66.

Is the constitutional enacting clause a requisite to a valid law? This must depend upon whether the constitutional provision is to be considered a mandatory provision or directory merely.

See Constitution, Art. IV., Sec. 48.

Among the authorities cited by the relator in support of his contention, is that of Swann v. Buck, 40 Miss. 286. The constitutional provi-

sion is similar to ours, and it was held that a substantial compliance was sufficient. In that case the style of the resolution was: "Resolved by the legislature of the State of Mississippi." The court was unable to discover a previous judicial decision of the question, but quoted Mr. Cushing to the effect that the prescribed "form must be strictly pursued, and that no equivalent language will be sufficient," and while declining to accept his rule said: "It is necessary that every law should show on its face the authority by which it is adopted, and promulgated, and that it should clearly appear that it is intended by the legislative power that enacts it that it should take effect as a law. These conditions being fulfilled all that is absolutely necessary is expressed. The word 'resolved,' is as potent to declare the legislative will, as the word 'enacted.'"

The case of *McPherson v. Leonard*, 29 Md. 377, held that the provision of the constitution of Maryland was directory, and that the omission of the words, "by the general assembly of Maryland," did not render the law invalid. The question appears to have been treated as a new one.

The case of *Cape Girardeau v. Riley*, 52 Mo. 427, follows the Maryland case, in holding the provision directory; the court saying that after diligent search, no case holding to the contrary had been found. In this case, like the one before us, the entire enacting clause was wanting. In this connection we may add that previous decisions of the same court, holding the provision that writs should run in the name of the state, was directory, were given weight. In our State a contrary holding will be found.

See *Forbes v. Darling*, 94 Mich. 621.

There are, however, cases which take a contrary view of the law, and adhere to the doctrine asserted by Mr. Cushing, and the late Mr. Justice Cooley, in his work on constitutional limitations, 6 ed., p. 93, viz.:

"But the courts tread upon very dangerous ground when they venture to apply the rules which distinguish directory and mandatory statutes to the provisions of a constitution. Constitutions do not usually undertake to prescribe mere rules of proceeding, except when such rules are looked upon as essential to the thing to be done; and they must then be regarded in the light of limitations upon the power to be exercised. It is the province of an instrument of this solemn and permanent character to establish those fundamental maxims and fix those unvarying rules by which all departments of the government must at all times shape their conduct, and if it descends to prescribing mere rules of order in unessential matters, it is lowering the proper dignity of such an instrument, and usurping the proper province of ordinary legislation. We are not, therefore, to expect to find a constitutional provision which the people, in adopting it, have not regarded as of high importance, and worthy to be embraced in an instrument, which, for a time at least is to control alike the government and the governed, and to form a standard by which is to be measured the power which can be exercised as well by the delegate as by the sovereign people themselves. If directions are given respecting the times or modes of proceeding in which a power should be exercised, there is at least a strong presumption that the people designed it should be exercised, in that time and mode only; and we impute to the people a want of due appreciation of the purpose and proper province of such an instrument, when we infer that such directions are given to any other end. Especially when, as has already been said, it is but fair to presume that the people in their constitution have expressed themselves in careful and measured terms, corresponding with the immense importance of the powers delegated, and with a view to leave as little as possible to implication."

There are some cases, however, where the doctrine of directory statutes has been applied to constitutional provisions, but they are so plainly at variance with the weight of authority upon the precise points considered that we feel warranted in saying that the judicial decisions as they now stand do not sanction the application.

The question arose in Washington territory over a law fixing the seat of government, and the opinion of Cushing was quoted and followed. 1 Wash. Ter. 116. The case of *Nevada v. Rogers*, 10 Nevada 250, decided in 1875, did the same. An extended discussion of the subject will be found in that case, in support of the proposition that the language of the constitution should be literally followed.

The opinion concludes with the following pertinent and emphatic language:

"Our constitution expressly provides that the enacting clause of every law shall be 'The People of the State of Nevada, represented in Senate and assembly, do enact as follows.' This language is susceptible of but one interpretation. There is no doubtful meaning as to the intention. It is, in our judgment, an imperative mandate of the people, in their sovereign capacity to the legislature, requiring that all laws to be binding upon them shall, upon their face, express the authority by which they were enacted, and as this act comes to us without such authority appearing upon its face, it is not a law."

The case of *the State v. Patterson*, 98 N. C. 662, is strong in its condemnation of the practice of treating constitutional requirements as directory. The case of *Powell v. Jackson*, 51 Mich 130, is not in point, as the bill was duly and seasonably amended, if we may accept the statement of the briefs of the counsel and the syllabus.

The trend of the weight of the authority is in our opinion against the relator's contention.

It is urged with some plausibility that the insertion of this provision previous to the signature by the Governor is a sufficient compliance with the constitution, from which we understand the claim to be made that although the enacting clause was wanting when the bill came to the Governor it might have been supplied by him. But it is thought that this proposition is tenable only upon the assumption that the constitutional provision is directory merely. The Governor has no power to make laws. The legislative power is in no part vested in him, being by Sec. 1. Article IV, of the constitution, vested in the senate and house of representatives. It is not the design of the constitution that he should legislate. His office is a check upon the legislature and he may compel a reconsideration of a bill by seasonably returning it to the appropriate house with his objections to it, and when the legislature has adjourned his neglect to sign it prevents it from becoming a law, but he has not the slightest power in framing the law. Indeed, it is a fundamental principle in American constitutions that the executive shall not make laws. The following language from the opinion in the case of *State of Nevada v. Rogers*, 10 Nev. 250, is appropos to this subject:

"Without the concurrence of the senate the people have no power to enact any law. Every person at all familiar with the practice of legislative bodies is aware that one of the most common methods adopted to kill a bill and prevent its becoming a law, is for a member to move to strike out the enacting clause. If such motion is carried the bill is lost. Can it be seriously contended that such a bill, with its head cut off, could thereafter by any legislative action become a law? Certainly not. The certificates of the proper officers of the senate and

assembly, that such an act was passed in their respective houses, do not, and could not impart vitality to any act which, upon its face, failed to express the authority by which it was enacted."

This being so, the only justification for the insertion of the enacting clause by the Governor is to be found in the assumption that it is a clerical omission of an unimportant matter and it might as well be held that one of the houses, or a clerk, or even the printer of the laws, might make the correction, as that the Governor might do it.

Some of the states have sustained laws without enacting clauses, but we do not know of one that has made their validity depend upon the unauthorized action of some officer or person. They have preferred to rest their action upon the well recognized distinction between mandatory and directory provisions. If the provision is mandatory that the law shall have a prescribed style and the making of laws is confined to the legislative branch of the government, it cannot be consistently held that omission of essential parts of a law may be supplied and corrections made by persons without authority; and the public necessities should be much greater than in the present case, before such a proposition should be seriously considered. If on the other hand there is warrant for treating the provisions as directory a much less dangerous precedent is established. But as has been shown, the weight of authority forbids it, and in our opinion it will be an unfortunate day for constitutional rights when courts begin the insidious process of undermining constitutions by holding unambiguous provisions and limitations to be directory, merely to be disregarded at pleasure. In the present case it will be much better that the legislature shall correct its mistake, than that the courts shall sanction the irregular correction.

We are therefore constrained to hold that the law under discussion is void, and in the certiorari case the order is affirmed, in that of Detten-thaler the conviction is reversed and no new trial ordered. The other justices concurred.

GROSVENOR v. DUFFY.

(Opinion filed September 18, 1899.)

Pure Food Law—Sale of Oleomargarine Colored to Imitate Butter—Constitutionality of Act.

The sale of oleomargarine colored with a harmless substance to imitate June butter, but which is sold and purchased as oleomargarine, is not in violation of section 3 of Act 118 of the Public Acts of 1897, being an act to prohibit and prevent adulteration, fraud and deception in the manufacture and sale of articles of food and drink.

Certiorari to review the action of the Washtenaw circuit judge in refusing the application of Elliot O. Grosvenor, Dairy and Food Commissioner, for mandamus to compel John L. Duffy, justice of the peace, to issue a warrant. Affirmed.

Smedley & Corwin, for relator.

John J. Speed and J. P. Lee, for respondent.

The relator presented to a justice of the peace a complaint in writing, charging that "Casper Rinsey did unlawfully offer and expose for sale, and did unlawfully sell and deliver to said Elliot O. Grosvenor, a large quantity, to wit, one pound of oleomargarine, which was then and there an article of food intended to be eaten by man, and which was then and there adulterated within the meaning of Act No. 193 of the Public Acts of Michigan for the year 1895, as amended by Act No. 118 of the Public Acts of Michigan for the year 1897, in this, to wit: that said oleomargarine was then and there an imitation of another article of food, to-wit: an imitation of a rich June butter; and said oleomargarine had been and was then and there colored, whereby inferiority was concealed and by which means it was made to appear better and of greater value than it really was, to wit, in this: That it was thereby made to appear like butter of a grade which was then and there of a greater value than the said oleomargarine; that the said oleomargarine was labeled 'oleomargarine' and stamped with the seller's name; and that the tub and wrapper which contained the same bore the name and address of the manufacturer and was distinctly labeled oleomargarine."

"Said complainant on his oath aforesaid, further says, that he called for oleomargarine, and that the said oleomargarine was sold to him as oleomargarine the same as to an ordinary customer, freely and without objection, and that for this reason he did not take the steps required by section 6, Act No. 154 of the Public Acts of Michigan for the year 1897."

The justice refused to entertain the complaint and issue a warrant, whereupon the relator applied to the circuit court for Washtenaw county for the writ of mandamus to compel the justice to issue a warrant and proceed to hear the case. The circuit court refused the writ and the case is brought to this court by certiorari for review.

Grant, C. J. (after stating the facts). The title of the act reads "An act to prohibit and prevent adulteration, fraud and deception in the manufacture and sale of articles of food and drink." Sec. 3, as amended by Act No. 118, Public Acts of 1897, so far as it applies to this case, reads:

"An article shall be deemed to be adulterated within the meaning of this act: * * *

"Fourth—If it is an imitation of, or sold under the name of another article. * * *

"Sixth—If it is colored, coated, polished or powdered, whereby damage or inferiority is concealed, or if by any means it is made to appear better or of greater value than it really is.

"Seventh—If it contains any added substance or ingredient which is poisonous or injurious to health: Provided, That nothing in this act shall prevent the coloring of pure butter; And provided further, That the provisions of this act shall not apply to mixtures or compounds recognized as ordinary articles or ingredients of articles of food, if each and every package sold or offered for sale, bear the name and address of the manufacturer and be distinctly labeled under its own distinctive name, and in a manner so as to plainly and correctly show that it is a mixture or compound, and is not in violation with definition fourth and seventh of this section."

It is not claimed that the sale made by Rinsey violates subdivision

seven. The act charged in the complaint is neither adulteration, fraud nor deception under any definition of these words to be found in any dictionary. Adulteration is "the act of corrupting or debasing, the act of mixing something impure or spurious with something pure or genuine, or an inferior article with a superior one of the same kind."

Bouv., L. D., 126.
Century Dictionary.

Counsel do not urge that it comes within the word "fraud" or "deceit." Neither is it urged that the article is made to appear of greater value than it really is. It is not claimed that the coloring matter used is in the least deleterious. The law permits its use to color butter. Counsel rely upon *People v. Snowberger*, 113 Mich. 86. That case is not in point. The gravamen of the offense there was that the article of food was damaged, inferior, its inferiority concealed, and it was made to appear of greater value than it really was.

This brings us to the only question we need to determine, viz.: Is the title to the act broad enough to include the sale complained of? Would any person reading the title to the bill in the legislative journals, or elsewhere, suppose that the bill would make criminal an act which in itself was entirely harmless, honest, innocent and contained no element of wrong-doing? Or that it would change the well known definition of a word so as to include within it things which were in no sense akin to it and which could only be included in it by the most arbitrary legislative enactments? Would a manufacturer of, or dealer in butter or oleomargarine, be notified by the title that the harmless coloring of either was not only to be prohibited but to be punished by fine or imprisonment or both? There can be but one answer to these questions. When the legislature attempts to change definitions and to make acts criminal which per se are innocent and contain no element of wrong, there must be something in the title to show such purpose or object under Sec. 20, Art. 4 of the constitution. The title contains not even an intimation that an entirely innocent act is to be made a crime. It follows that this part of the act is void.

Bissel v. Wayne Probate Judge, 58 Mich. 237.
Northwestern M'fg. Co. v. Wayne Circuit Judge, Id., 381.
McKellar v. Detroit, 57 Mich., 158.

This statute is assailed as unconstitutional upon other grounds. This disposal of the case renders it unnecessary to discuss them. How far the legislature may go, under the police power inherent in the State in prohibiting and punishing acts which in themselves are perfectly harmless, would be an interesting subject of inquiry, but as it is not necessary to a discussion of the case we decline to enter upon it.

Judgment affirmed. The other justices concurred.

PEOPLE v. SKILLMAN.

(Opinion filed March 4, 1902.)

Pure Food Law—Section 5022 C. L. Construed—Action Against Traveling Salesman.

A traveling salesman for a wholesale grocery firm, residing out of the State, took an order in this State for pure fruit jelly and forwarded the order to his employers. The order was filled with imitation fruit jelly. Information was filed against the salesman under section 5022 C. L., regulating the manufacture and sale of imitation fruit jellies. *Held*, That respondent was not guilty of violating the terms of the statute.

Error to the circuit court for Muskegon County. Fred J. Russell, Judge.

Appeal of John Skillman from a conviction under the pure food law. New trial ordered.

Charles B. Cross, Prosecuting Attorney, for the people.
Elliott O. Grosvenor and Smedley & Corwin, for respondent.

Moore, J.: An information was filed against the respondent which, omitting the formal parts, reads as follows: "That one John Skillman heretofore, to wit, on the sixteenth day of September, A. D., 1901, at the city of Muskegon, in the county of Muskegon aforesaid, did unlawfully offer for sale and did sell to Albert Towle a large quantity, to wit: a certain compound under the name of Quince Jelly which was then and there adulterated within the meaning of the Act No. 193 of the Public Acts of the State of Michigan of the year 1895, as amended by Act No. 118 of the Public Acts of the State of Michigan of the year 1897, as amended by Act No. 117 of the Public Acts of the State of Michigan of the year 1899, in this, to wit: That said compound was then and there made and composed in part of glucose, starch and other substances, and was then and there colored in imitation of fruit jelly contrary to the form of the statute."

After the testimony was all in, a motion was made asking the judge, for various reasons, to direct a verdict in favor of respondent. This motion was overruled. The case was submitted to the jury which returned a verdict of guilty.

A great many errors are assigned. We think some of them which we shall discuss are well taken, but as the case if ever tried again, will not present the same questions now presented by counsel we deem it unnecessary to pass upon all the questions argued by them in the briefs.

To sustain the case of the people testimony in substance as follows was introduced: It was shown the respondent had for some years been a traveling salesman in the employ of Reid, Murdock & Company of Chicago, that he solicited an order from Mr. Towle, a grocer in Muskegon, that Mr. Towle gave him an order for a case of assorted pure fruit jelly. Mr. Skillman did not have the goods with him, but reduced the order to

writing in the presence of Mr. Towle, at his store, and forwarded it to the house in Chicago. It is as follows:

"Reid, Murdock & Co., Chicago.
Sept. 12, 1901.

Name: Albert Towle.
Town: Muskegon.
State: Michigan.
Ship by Barry Line.
Salesman: Skillman.

1 c P. F. Jelly Med. Asst.....	100
1 c P. F. Jelly Med. Currant	100
60 days."	

"1 c P. F. Jelly Med. Asst." was explained to mean one case pure fruit jelly medium assorted glasses. Mr. Towle testified Mr. Skillman claimed it was pure fruit jelly for which he took the order, and that was what he intended to buy. It was not shown that respondent had anything further to do with the transaction than as above stated. Later a case of goods was received from Reid, Murdock & Company and testimony was given tending to show that a tumbler of this jelly was sold to Mr. Bennett, inspector of the Dairy and Food Department of Michigan, and by him forwarded to the State Analyst, where it is claimed upon analysis it was shown to be a mixture of fruit juice, glucose, starch and coloring-matter. Upon the cross examination of Mr. Towle the following occurred:

"Q. Did you give Mr. Skillman more than one order for fruit jelly about this time? A. Well, he had two or three orders I think, two at least.

Q. Two orders? A. One of them might have been ordered by mail.

Q. Now you received two consignments of fruit jelly from the orders you had given to Mr. Skillman? A. I think so, yes, sir.

Q. Upon which one of these orders did you receive this particular tumbler of jelly that you afterwards sold to Mr. Bennett? A. I couldn't say. The one that he bought was out of that order I think. (Witness pointing to order exhibited.)"

The defense claimed that the label "pure fruit jelly" placed upon the tumbler analyzed was put there by mistake. It was their claim that Reid, Murdock & Company dealt in two kinds of jelly, those made out of pure fruit and those made in imitation of pure fruit, and that when the imitation was sold in Michigan and certain other states their instructions were to label them "imitation," and that these instructions were furnished in writing to their agents, including the respondent, and they offered testimony tending to prove this claim. The written instructions were also offered in evidence, but with the testimony offered were excluded by the court.

Among other requests offered by the respondent was the following:

"Under the undisputed evidence in this case there is nothing to show that the respondent offered to sell any jelly in violation of any statute of this state, but, on the contrary, it is shown that respondent offered to sell strictly pure fruit jelly and sent such an order to Reid, Murdock & Company, of Chicago, Illinois, and the charge in the information for selling and offering to sell adulterated jelly is not sustained by the evidence, and your verdict should be not guilty."

The judge refused to give this request, but charged the jury, "It is recognized by the legislators and is a matter of common knowledge that many of the wholesalers that are doing business in Michigan are not residents of this State, so the legislature saw fit to make a law where a man solicited the sale of pure jellies, took an order for the sale of pure jellies, and in response to that order and offer, a different class of goods was furnished, that the party should be guilty of violating this particular law. In other words, instead of that order or offer and the furnishing of goods delivered to the party by a party who might be a non-resident of the State, that it should relate to the man who actually made the offer, the man who actually took the order for the furnishing of this particular article. The people claim that this is the matter in which this defendant here is liable."

This statement of the law is sought to be justified by *People v. Snowberger*, 113 Mich. 86, and *People v. Grocer Co.*, 118 Mich. 604, 71 N. W. 497, 67 Am. St. Rep. 449, 77 N. W. 315. A reference to these cases will show that the respondent in each of them admitted making the sale of the goods. In this case the respondent denies that he sold any goods coming within the provisions of the statute. Giving the only interpretation to the testimony as it appears in the record which can be fairly given to it shows Mr. Towle was solicited to give an order for pure fruit jelly. He gave such an order. It was reduced to writing and in the writing the jelly was described as pure fruit jelly. As before stated the only connection of the respondent with the transaction as shown by the record is the taking of an order for an article not within the terms of the statute and forwarding it. This does not constitute an offense. It might as well be urged that if a traveling salesman takes an order for Michigan beet sugar and forwards a written order for such sugar, and if the house, instead of filling the order as written, sends glucose with a label upon the package containing it calling it Michigan beet sugar the salesman would be guilty of an offense. This we do not understand to be the law. Upon the case as made the circuit judge should have directed a verdict of not guilty. *People v. Howard*, 50 Mich. 242, 15 N. W. 101.

The verdict is set aside and a new trial ordered.

Long, J., did not sit. The other justices concurred.

THE PEOPLE v. MORSE.

(Opinion filed June 3, 1902.)

Pure Food Law—Sales by Agents—Criminal Responsibility for Acts of Principal.

1. A traveling salesman who in good faith takes an order for "pure pepper," which is filled by his principal with impure pepper, is not guilty of a violation of Public Acts 1895, No. 193, forbidding the sale of impure foods.
2. Public Acts 1895, No. 193 (Pure Food Laws) Sec. 17, providing that the taking of an order for future delivery of any of the articles covered by the "act shall be deemed a sale, within the meaning of the act," does not make an agent absolutely responsible for the acts of his principal in filling the orders taken by such agent, and an order by the agent which is filled by the principal as an entirety may be, under the act, a sale of impure food, as to the principal, and yet not such as to the agent.

Error to circuit court, Muskegon county; Fred J. Russell, judge.

John W. Morse was convicted of a violation of the pure food law, and he brings error. Reversed.

Underwood & Umlor, for appellant.

Chas. B. Cross, Prosecuting Attorney, and George S. Lovelace, Assistant Prosecuting Attorney, for the people.

Hooker, J.: The brief filed on behalf of the people states that the case is similar to that of *The People v. Skillman*, 8 Detroit Legal News, 1090, 89 N. W. 330, and in effect concedes that the case must be reversed if we adhere to our former decision.

The defendant took an order for some pepper, as and for pure pepper, to be shipped to a dealer in Muskegon, by defendant's principal, a wholesaler in Chicago. The pepper when sent was not pure.

It is insisted that the *Skillman* case is at variance with the weight of authority elsewhere, and contrary to our own cases, in which it is said that we have held that a guilty intent on the part of a vendor, is not essential to an offense, under the pure food law (Public Acts 1895, No. 193.) It is further said that in the decision in the *Skillman* case section seventeen of the act must have been overlooked or considered unconstitutional.

The transaction in which the order was taken did not involve an immediate delivery of pepper, then and there present. It is not shown that the sample, if there was one, was the same as the pepper subsequently sent, or that it was in the least impure. If it be conceded that the agent acted in good faith, and we understand that it is not questioned, he took an order for pure goods, and in doing that certainly committed no offense. It is now urged that the exigencies of the enforcement of this law are such, that we should hold that this innocent and lawful action, may be made a crime by the subsequent act of the principal, either intentional or inadvertent, in departing from, instead of performing the contract which his agent had innocently made. We think this is not so,

and we are also of the opinion that this does not necessarily do violence to section seventeen. This transaction, as an entirety, may have been a sale of impure pepper under the statute as to the principal, and not as to the agent. If the order had been taken, with knowledge on the part of the agent of a practice to send impure pepper on such orders, a different question would be presented.

The judgment is reversed and a new trial ordered.

Long, J., did not sit. The other justices concurred.

PEOPLE v. ROTTER.

(Opinion filed June 24, 1902.)

Food—Oleomargarine Act—Constitutional Law—Statutes—Title—Object.

1. Public Acts 1901, No. 22, entitled "An act to prevent deception in the manufacture and sale of imitation butter," which in addition to forbidding sale of imitation butter, prohibits sales of colored oleomargarine, is not, on that account, open to the objection that the object is not expressed in the title, as required by Const. Art. 4, Sec. 20.
2. The act is not in contravention of the fourteenth amendment of the federal constitution.
3. The act is a valid exercise of the police power.

Error to circuit court, Emmet county; Frank Shepard, judge.

George W. Rotter was convicted of selling colored oleomargarine, and brings error. Affirmed.

Smedley & Corwin, Sears, Meagher & Whitney (James F. Meagher and Kay Wood, of counsel), for appellant.

Horace M. Oren, Attorney General, and Matthew F. Guinon, Prosecuting Attorney, for the people.

Hooker, C. J.: At its last session, the legislature passed an act under the title, "An act to prevent deception in the manufacture and sale of imitation butter." Public Acts 1901, No. 22.

Section 1 of said act provides that:

"No person, by himself or his agents or servants, shall render or manufacture, sell, offer for sale, expose for sale, or have in his possession with intent to sell, any article, product or compound made wholly or in part out of any fat, oil or oleaginous substance or compound thereof, not produced from unadulterated milk or cream from the same, which shall be in imitation of yellow butter produced from pure unadulterated milk or cream of the same: Provided, That nothing in this act shall be construed to prohibit the manufacture or sale of oleomargarine in a separate and distinct form, and in such manner as will advise the consumer of its real character, free from coloration or ingredient that causes it to look like butter."

Section 2 prescribes a penalty for the violation of the act.

The defendant was a grocer in Emmet county, and is shown to have sold a package of oleomargarine, which by an analysis was proven to

have contained artificial coloring matter, and that said oleomargarine was not made wholly from unadulterated milk or cream from the same, and that it was made in imitation of yellow butter, produced from unadulterated milk or cream from the same. The court was asked to direct a verdict of not guilty upon the grounds:

1st. That the object of the act was not expressed in the title, as required by section 20 of article 4 of the constitution of this State;

2d. That the act violates the fourteenth amendment of the constitution of the United States, and article 6, section 32, of the constitution of this State;

3d. That it was not within the police power of the State.

The evidence conclusively shows that no deception was used in selling the oleomargarine, and there is nothing to indicate that there was any harmful ingredient therein, but that, on the contrary there was not such ingredient. The defendant was convicted, and the case is here on exceptions before sentence.

It is contended that the title to the act indicates that the act was designed to prevent deception in the manufacture and sale of imitation butter, while the act attempts to go further and prevent all sales of such colored oleomargarine.

If oleomargarine colored yellow, closely resembles yellow butter, made from milk or cream, it cannot reasonably be said not to resemble or imitate yellow butter. Butter is a well known commodity. From time immemorial it has had but one origin, viz.: from the churning of milk or cream. Whatever may be said of the possibility of making a product from other compounds than milk or cream that shall closely resemble or be chemically identical with butter, the world has but one understanding of what is meant by the word "butter," and we must assume that such is the sense in which our legislature used the term. Compiled Laws, Sec. 50, Sub. 1.

A fair inference from this statute is that the legislature undertook to prevent deception, by preventing the sale of any yellow oleomargarine, and it undertook to accomplish this by the most effective means, viz.: by prohibiting the coloring of oleomargarine yellow, thereby avoiding the embarrassment which would otherwise arise from the necessity of proving in each case, that deceit was used in selling it, as and for butter. We think this is fairly within the title, whatever must be said of the other points raised. We are referred to the case of *N. W. Mfg. Co. v. Chambers*, 58 Mich. 381, 25 N. W. 372, 55 Am. Rep. 693, as conclusive upon this question, in which case it is said that "all that could be done under such a title would be to prohibit and prevent sale of such articles under false pretenses." We are of the opinion that this language is too restrictive, and that it is at variance with the settled doctrine in this State, that any provision, naturally calculated to accomplish the object expressed in the title may be included in the act.

See:

Soukup v. VanDyke, 109 Mich., 681.

People v. Worden Grocer Co., 118 Mich., 607.

The case cited was rightly disposed of upon another ground, and it is possible that the language above quoted should be considered a dictum. Moreover, the cases are distinguishable for whereas, that act attempted

to prevent all sales of imitation butter, and was therefore perhaps inconsistent with the title, which apparently contemplated lawful sales, the statute under consideration in the present case, does not prohibit sales of oleomargarine, which is not tainted with the prohibited ingredients.

It is unnecessary to discuss the other points at length for the reason that the uniform trend of judicial opinions is that such laws are valid:

State v. Meyers, 42 W. Va. 825; 35 L. R. A. 844.
New Hampshire v. Marshall, 1 L. R. A. 51.
Powell v. Penna, 127, U. S. 678.
People v. Armsberg, 105 N. Y. 113.
Butler v. Chambers, 36 Minn. 69.
People v. Worden Grocer Co., 118 Mich. 604.
People v. Armsberg, 105 N. Y. 123.
State v. Crescent Creamery Co., 86 N. W. 107.
State v. Ball, 46 Atl. Rep. 50.
Commonwealth v. VanDyke, 13 Pa. Sup. Ct. Rep. 484.
Commonwealth v. McCann, 14 Pa. Supt. Ct. Rep. 221.
Armour Packing Co. v. Snyder, 84 Fed. Rep. 136.
Cap. City Dairy Co. v. State, 22 Sup. Ct. Rep. 120.
Wright v. State, 41 Atl. Rep. 795.

We are of the opinion that the legislature had the power to pass this law, and its wisdom of policy is not for our consideration.

The judgment is affirmed and the court directed to sentence the defendant.

Long, J., did not sit. The other justices concurred.

PEOPLE v. PHILLIPS.

(Opinion filed Sept. 17, 1902.)

Food—Adulteration—Statutes—Oleomargarine—Yellow Butter.

1. The phrase "yellow butter," is used in Act No. 22, Acts 1901, making it an offense to sell or offer for sale oleomargarine colored in imitation of "yellow butter" made from pure milk or cream, of the same, means any butter produced from pure milk or cream thereof having a "perceptible shade" of yellow.

Error to circuit court, Kalamazoo county; John W. Adams, Judge.

John W. Phillips was convicted of selling oleomargarine, in violation of Act No. 22, Acts 1901, and he brings error. Affirmed.

Frank E. Knappen and E. M. Irish, for appellant.

Sheridan F. Master, Prosecuting Attorney, and Dallas Boudeman, for the people.

Moore, J.: The respondent was convicted of having on hand with intent to sell, and offering for sale oleomargarine, colored in imitation of

yellow butter, contrary to the provisions of Act No. 22 of the legislature, passed at the session of 1901.

It is claimed by respondent this law is unconstitutional and is an invalid law. That question was decided in the very recent case of *People v. Rotter*, against the contention of respondent, and need not be discussed here. It is urged as a matter of defense, and we quote from the brief of counsel, "that the statute is only aimed against the imitation of a substance which the legislature recognizes as yellow butter, and

1. The court should take judicial notice that all butter with a trace of yellow in it is not the yellow butter of commerce.

2. That if this is not true as a proposition of judicial notice, and the court cannot know it, then the respondent should have been allowed to prove, if he could, that there was such a usage of commerce.

3. That the statute is vague and indefinite in not defining the elements of the statutory crime it attempts to carve out of an act innocent per se, in that it gives no standard for determining what the color of yellow butter is that is not to be imitated."

The trial judge charged the jury upon that branch of the case as follows:

"It is not necessary in this case for the people to have proved that the respondent himself colored the oleomargarine if you find beyond a reasonable doubt that it was colored. The offense is just as complete, so far as this is concerned, if the respondent purchased oleomargarine colored, as above indicated. The offense as above stated consists of having the oleomargarine colored as before indicated, in his possession, with intent to sell the same, or in exposing it for sale; and if the respondent sold it in the same condition as he bought it, there would be no defense in this case. The respondent, gentlemen of the jury, is not charged in this information with selling this article; and if you find beyond a reasonable doubt he sold it as claimed by the people in the testimony offered, you may consider this fact on the question of whether respondent had or did not have the article in his possession for the purpose of selling it. And you must not consider it for any other purpose. If you find beyond a reasonable doubt that respondent did sell the article mentioned in the information to the parties claimed by the people, that would satisfy the statute upon the question of intent to sell. It is not necessary in this case to entitle the people to a conviction, that the oleomargarine should have been colored to represent any particular kind of yellow butter. That is such yellow butter as the statute mentions, and as I have indicated to you the statute mentions. If the coloring was put into it, and by using such coloring the oleomargarine was in imitation of light yellow butter, such as the statute mentions, that is yellow butter produced from pure, unadulterated milk or cream from the same, the offense is committed just the same, as if it had been colored to represent darker yellow butter. If you find it to have been oleomargarine and was colored in such a manner as to be in imitation of any kind of yellow butter, that would satisfy the statute upon the requirement of the question of color. Yellow butter I define to be any butter produced from pure, unadulterated milk or cream of the same having a yellow color.

"It is necessary in order for the jury to convict the respondent, for you to find beyond all reasonable doubt that the article in the package sold was colored in imitation of yellow butter produced from pure, unadulterated milk or cream of the same. If you find beyond a reasonable doubt under the testimony in this case that there was some coloring matter in this article still if you find that there was not enough coloring matter in this article to cause it to look like yellow butter having a perceptible shade of yellow, said butter having been produced from unadulterated milk, or cream from the same, then you must acquit. But if you find beyond a reasonable doubt there was coloring matter in said article and sufficient coloring matter in said article and sufficient coloring matter therein to make it look like yellow butter, having any perceptible shade of yellow, said butter having been made from unadulterated milk or cream from the

same, that would be sufficient so far as the requirement of the statute upon the question of coloration is concerned."

We think this was a proper construction of the language used in the statute.

The conviction is affirmed and the case remanded for further proceedings.

Long, J., did not sit. The other justices concurred.

PEOPLE v. JENNINGS.

(Opinion filed April 7, 1903.)

Adulteration of Food—Omission of Ingredients—Coloring Matter—Remarks of Court.

1. There not having been incorporated in the pure food law of 1895 (Public Acts of 1895, p. 358, No. 193), any specific formula for the manufacture of lemon extract, it is proper to resort to the United States Pharmacopoeia formula to determine of what lemon extract consists.
2. The pure food law of 1895 (Public Acts of 1895, p. 358, No. 193), is not intended to prevent manufacturers of articles of food from improving the same, so long as no infringement of the law or spirit of the act defining adulteration takes place.
3. The provisions of Comp. Laws, Sec. 5012, that an article shall be deemed adulterated, "second, if any inferior or cheaper substance or substances have been substituted wholly or in part for it; third, if any valuable or necessary constituent or ingredient has been wholly or in part abstracted from it"—should be read together, and the provision first recited construed as prohibiting the substitution for an essential ingredient of any cheaper or inferior substances.
4. Comp. Laws, Sec. 5012, declaring that an article shall be deemed adulterated, "sixth, if it is colored * * * whereby damage or inferiority is concealed, or if by any means it is made to appear better or of greater value than it really is," does not preclude the use of coloring matter not injurious to health in any way.
5. It is improper for the court to refer to expert testimony as "boughten testimony."

Exceptions from circuit court, Muskegon county; Fred J. Russell, judge.

Charles W. Jennings was convicted of violating the pure food law, and brings exceptions. Reversed.

Charles A. Blair, Attorney General, and Charles B. Cross, Prosecuting Attorney. (Cross, Lovelace and Ross, of counsel), for the people.

Knappen, Kleinhans & Knappen and L. N. Keating, for defendant.

Montgomery, J. This is a prosecution under the Pure Food Law, so called. The defendant was convicted under an information charging him with selling a compound as a lemon extract which was adulterated within the meaning of Act No. 193, P. A. 1895, and was a compound in imita-

tion of extract of lemon. The respondent was convicted and brings the case up on exceptions before sentence.

The evidence on the trial introduced by the defendant tended to show that lemon oil contains from three to ten per cent citral, so called, and upwards of ninety per cent of so called turpenes; that these turpenes represent the oil property; that they are in reality the oil itself freed from the citral; that citral is the principal flavoring and odor-bearing property of lemon oil; that the tendency of turpenes in the oil of lemon is to deteriorate or become rancid by long standing, and that because of this the extract of spirits of lemon in which turpenes appear in usual quantities become turpentiney, both in smell and taste, and that for this reason it is undesirable to have turpenes present; that the turpenes have a biting taste, easily developing a turpentine taste, not the true flavor of the lemon fruit. There was also testimony tending to show that this fact created a demand for turpenless oils and that turpenless lemon oils had been manufactured and sold commercially for a considerable time.

On the part of the prosecution the testimony of the chemist of the Pure Food Department was to the effect that taking as a standard of extract of lemon the spirits of lemon as defined by the United States Pharmacopoeia formula that the extract produced by the respondent showed no lemon oil present. It further appears that spirits of lemon made according to the pharmacopoeia formula would contain from 25-100 to 35-100 of one per cent of citral. It also appeared that 30 per cent of alcohol appeared in the product made by respondent, and that according to the pharmacopoeia formula 80 per cent was used, and that it cost less to make the extract using but 30 per cent of alcohol than if 80 per cent was used. It was also shown that a trace of coal tar dye was found in the extract made by respondent, but it was conceded that there was nothing whatever injurious in the extract as prepared by Mr. Jennings. The extract sold by respondent was made by what is known as the shaking out process, the purpose being to make an extract that contains no oil and as little alcohol as possible, a product that simply contains the flavoring properties of the lemon oil without the turpenes. This system has been employed by Mr. Jennings and by other manufacturers for the past three years; and it is claimed that all the elements and properties of lemon oil remained except the turpenes, and the testimony tended to show that the complete flavoring qualities are extracted by this process.

The circuit judge charged the jury as follows:

"In 1895 the Legislature of this State, thought it wise to pass a law relative to the adulterations of food and food products. Perhaps there may have been some amendments since that time, but that was the foundation of the law. That law covers lemon extract as it covers all other products that are sold on the market. It seems at the time the law was passed and since that time there hasn't been—there isn't incorporated within that law any special formula for the manufacture of lemon extract. Now, we can hardly say, gentlemen of the jury, that at the time of the passage of that law that the Legislature didn't have some recognized and defined standard by which these essences or extracts should be governed or controlled. I think it would be hardly fair to the Legislature to claim that there wasn't a standard they had in their mind at that time, and for the purposes of this case I will instruct you gentlemen, that at that time and at this time this standard that appears here in the United States Pharmacopoeia is the standard recognized by the legislators of this State and the one to which—the one that is in force so far as it applies to the pure Food Law of this State

with reference to that particular product. And if this lemon extract is manufactured in conflict with that formula as I shall hereafter call your attention to it, and you should find from the evidence, why it would be your duty to convict the defendant here.

"By that formula it appears that it is necessary to have five per cent of lemon oil in the lemon extract and that lemon oil shall be cut by a sufficient quantity of alcohol to perform that act. Of course, you know that that means in common parlance it should dissolve the oil. In addition to that, as the evidence tends to show in this case, after those things are put together, the fluid, whatever it might be, would be nearly the color of water. As coloring there may be or should be five per cent of lemon rind, and those ingredients when added together would be lemon extract, and that, gentlemen, will be the standard as applied to the Pure Food Law of this State. Now, gentlemen, I don't mean by that statement that lemon extract cannot be manufactured by any other process except by that to which I have called your attention. I don't mean that. It is the claim of the defendant here that he has discovered a process by which he can manufacture lemon extract containing all of the qualities that lemon extract manufactured according to that formula would possess and not have entirely all of the ingredients in the first instance that are provided in the formula. And as I view this case, gentlemen, that is one of the important propositions in connection with this case—that, and the question of coloring—in the judgment of the court is the case, and that all of the testimony in the case here revolves itself about those two propositions.

"It is the claim of the defendant, as I say, he has discovered a process by which he can produce in this lemon extract all the qualities that would be produced by adding alcohol and lemon oil together, and that manufacturing it by that means he produces it chemically by taking a larger quantity of lemon oil and extracting certain parts of it. Now, gentlemen, if you find and are satisfied by the evidence in this case that after this lemon extract was manufactured as defendant here claims he did manufacture it possesses all the qualities in strength and otherwise that it would possess if manufactured according to this formula, he is not guilty under this law. That is, he is not guilty of manufacturing an impure article, unless there are certain other articles that enter into the case to which I call your attention. As I say, in the first instance, it is claimed that according to the formula it should be alcohol and five per cent of lemon oil. Now if by some other process he can manufacture from the lemon oil and alcohol a product that would contain all of the elements that these two elements would contain if so mixed, he would not be guilty so far that would be lemon extract except the color of it.

"It is conceded here by all parties in interest, I think, that the only object of the lemon peel is to produce coloring. But there is another element to which the prosecuting attorney, has called our attention. The evidence tends to show, gentlemen, that if this product is produced as claimed here on the part of the defendant, that after production by this process that the product will be nearly white. As I say, if it contained all of the elements of lemon extract, I don't think he would be guilty under this law, and if you are so satisfied, of course, at that point it would be your duty to find a verdict of not guilty unless there is some other matter in which he has violated this law.

"There is another provision of this Pure Food Law that provides that ingredients shall not be colored. In this case it appears that after this fluid substance is produced which he claims is just the same as produced under this formula, that he desires to change it to a lemon color. In other words, he puts in an ingredient which he claims would produce the same effect as this lemon rind. What is the object, gentlemen, or what was the object of Mr. Jennings adding this color? If the object was by any means to make it appear better or of greater value than it really is; if that was the object in adding that product, of course it is your duty without any question to find this defendant guilty, because he hadn't any right to add that kind of a product or any other kind of a product to this fluid which he had produced and sell it for lemon extract, because that is a direct violation of one of the provisions of this Pure Food Law."

We think this charge presents fairly three questions for consideration: First, whether the pharmacopoeia formula is to be considered as defin-

ing lemon extract; second, if so, whether an omission of ingredients not essential to its purposes as a food product is a violation of the statute; third, whether the instruction relative to the addition of coloring matter should be sustained.

The statute defining what shall be deemed adulteration, so far as it relates to this case, declares that an article shall be deemed adulterated when: "First, if any substance or substances have been mixed with it, so as to lower or depreciate or injuriously affect its quality, strength or purity; second, if any inferior or cheaper substance or substances have been substituted wholly or in part for it; third, if any valuable or necessary constituent or ingredient has been wholly or in part abstracted from it; fourth, if it is in imitation of, or is sold under the name of another article; * * * sixth, if it is colored, coated, polished or powdered whereby damage or inferiority is concealed, or if by any means it is made to appear better or of greater value than it really is; seventh, if it contains any added substance or ingredient which is poisonous or injurious to health." Compiled Laws, Sec. 5012.

We are agreed with the circuit judge that in referring to articles of food and to protect the users thereof the legislature must have had in view some standard, and as lemon essence or lemon extract had therefore acquired a well-defined meaning we incline to the view that it is proper to resort to the pharmacopoeia formula for the purpose of determining what lemon extract consists of. Does it follow from this that the legislature intended to prohibit improvement in the manufacture of lemon extract? If a means should be discovered by which a larger percentage of the flavoring quantity of the lemon might be extracted would it be an infraction of this law that the manufacturer should use such larger proportion of the essential ingredient of the lemon extract? We think not. We think it is open to manufacturers to improve a common article of food so long as no infringement of the law or spirit of the act defining what shall be deemed adulteration takes place. According to the proofs offered by the defendant it is very clear in the present case no substances have been mixed with this extract so as to lower or depreciate or injuriously affect its quality, strength or purity.

As to the second condition which amounts to adulteration the case is not so clear. This provides that if any inferior or cheaper substance or substances have been substituted wholly or in part for it, that it shall amount to adulteration. We think, however, this provision should be read in connection with the succeeding one, to-wit: "If any valuable or necessary constituent or ingredient has been wholly or in part abstracted from it." So construed the provision prohibiting the substitution of any inferior or cheaper substance, wholly or in part, for it means the substitution for an essential ingredient of such cheaper or inferior substance. Now if it be a fact, as the testimony on the part of the respondent tends to show, that it is a positive advantage to exclude the turpene wholly from the extract and to lessen the quantity of alcohol used, then the essential ingredients of lemon extract have not had substituted for them anything inferior or cheaper. We are aware that this view of the law may make it more difficult to establish the individual case, but as the statute is a penal statute it should receive a strict construction.

It follows from the views above expressed that the instruction of the learned circuit judge was erroneous inasmuch as the jury were told in

effect that if any ingredient of lemon essence as defined by the pharmacopoeia was wanting in this extract sold by the respondent that there should be a conviction. We think the instruction should have been that if the lemon extract sold by respondent contained all the ingredients and in quantities such as prescribed by the pharmacopoeia which are adapted to use as a food, and that nothing was eliminated except such ingredients as could be dispensed with without injury to the product as a food product there was no violation of the statute.

The only other provision of the statute involved is the sixth, which in effect prohibits coloring the article produced whereby damage or inferiority is concealed. The instruction upon this branch of the law was also erroneous if we are correct in our view of the main question. The elimination of non-essential ingredients from the extract certainly does not show damage or inferiority, and as the conceded facts are that the coloring matter employed was not injurious to health in any way this provision has no application.

The other questions discussed do not require special mention. It may be noted in passing that the circuit judge in referring to the testimony of expert witnesses spoke of it as boughten testimony. We think this expression was unfortunate. While it is proper for the jury to take into account the fact that expert witnesses are employed at an extra compensation paid them, the implication that the extra compensation necessarily amounts to a purchase of their testimony is hardly warranted; while the jury may consider this fact as bearing on their credibility, it is not proper that the court should intimate an opinion of that character.

The judgment should be reversed, and a new trial ordered.

The other justices concurred.

BENNETT v. CARR.

(Opinion filed July 14, 1903.)

Pure Food Law, Act 22, P. A. 1901, Construed—Sale of Yellow Oleomargarine.

Act No. 22 of the Public Acts of 1901 prohibiting the sale of oleomargarine except where it is "free from coloration or ingredient that causes it to look like butter," does not prohibit the sale of oleomargarine whose color is natural, genuine, and not an imitation, and the ingredients themselves naturally produce the color.

The term "Ingredient," used in Act 22, Public Acts of 1901, does not refer to the ingredients essential to produce the article as defined by the legislature, but to an ingredient used to produce color.

Certiorari to the Circuit Court for Muskegon county, Fred J. Russell, judge to review an order denying the petition of John R. Bennett for mandamus to compel John M. Carr to issue a warrant. Order affirmed.

Charles A. Blair, Attorney General, and Cross, Lovelace and Ross, for relator and appellant.

Smith, Nims, Hoyt and Erwin for defendant and appellee.

Grant, J.: Relator is an inspector of the State Food and Dairy Department. On the 24th day of February 1903, he made complaint before the defendant, a justice of the peace of the county of Muskegon, charging one Martin Aamondt with having sold one pound of oleomargarine contrary to Act No. 22 of the Public Acts of 1901. The respondent refused to entertain the complaint and issue warrant, on the ground that the complaint stated no offense under the provisions of said act, and that said act is unconstitutional and void. Relator thereupon applied to the circuit court for the county of Muskegon for the writ of mandamus to compel the respondent to issue said warrant, and proceed with the examination. The circuit court sustained the action of the respondent, and the case is now before us for review upon certiorari.

The statute in question reads as follows:

"Section 1. No person, by himself or his agents, or servants, shall render or manufacture, sell, offer for sale, expose for sale, or have in his possession with intent to sell, any article, product or compound made wholly or in part out of any fat, oil, or oleaginous substance or compound thereof, not produced from unadulterated milk or cream from the same, which shall be in imitation of yellow butter produced from pure unadulterated milk or cream of the same: Provided, That nothing in this act shall be construed to prohibit the manufacture or sale of oleomargarine in a separate and distinct form, and in such manner as will advise the consumer of its real character, free from coloration or ingredient that causes it to look like butter." The complaint charges Mr. Aamondt with unlawfully selling one pound of oleomargarine "made wholly or in part of fat, oil, or oleaginous substance or compound thereof, as follows, to wit:

Water	11.75 per cent
Butter fat	1.34 per cent
Beef fat, lard and cottonseed oil	79.24 per cent
Salt and other mineral matter	4.54 per cent
Curd	3.13 per cent

Said article, product or compound not being then and there butter produced from unadulterated milk or cream from the same, and being then and there in imitation of yellow butter produced from unadulterated milk or cream from the same, and not being then and there oleomargarine in a separate and distinct form and in such manner as would advise the consumer of its real character, free from coloration or ingredient that would cause it to look like butter, but that the said oleomargarine was then and there of a yellow color in imitation of butter, said color not being then and there produced by the addition of any artificial coloring matter, but said color being produced solely by the said ingredients therein contained, the said ingredients hereinbefore set forth, having been selected and used in the manufacture of said oleomargarine in such manner and in such quantities and proportion as to produce the oleomargarine that was then and there in imitation of yellow butter produced from the unadulterated milk or cream from the same, contrary to the form of the statute," etc.

The oleomargarine so purchased was manufactured in the city of Chicago, state of Illinois, by one Moxley, a resident of said city, and was sold by said Moxley to said Aamondt in the usual course of trade, and by said Aamondt was sold in the usual course of retail trade, in the same form and condition and in the original package, in which it was received by Aamondt from Moxley.

It is conceded that this oleomargarine has a yellow color similar to butter, but the color is not produced by any artificial coloring substance or ingredient used for the purpose of coloration, but is produced solely by the selection and use, in proper proportions, of the substantial, recognized, legal and necessary ingredients of commercial oleomargarine.

Does the complaint state an offense covered by the statute? The answer depends upon the construction to be given to the statute. The relator contends that the statute covers all products which look like yellow butter, and that it is immaterial whether such color is produced by some ingredient introduced for the purpose of causing the product to look like butter, or whether such color is produced by authorized and legal constituent food ingredients. The respondent contends that the statute is aimed only at the use of ingredients used solely for the purpose of producing the yellow color, and does not prevent the manufacture of an article whose color is natural, genuine and not an imitation. Penal statutes must be construed strictly and cannot be extended by construction beyond the intent of the act as expressed on its face. The conditions existing at the time the statute was enacted, and the mischief to be remedied, are important factors in construing penal statutes. Two acts covering the same subject must be construed as in *pari materia*, and, if possible, effect given to both. These are elementary rules of construction. At the time the statute in question was enacted the only method in use in causing oleomargarine to look like yellow butter was the introduction of some extraneous coloring matter. This was the mischief to be remedied. We clearly so understood in *People v. Rotter*, 9 D. L. N. 284; 91 N. W. Rep. 167, where, speaking through Chief Justice Hooker, we said of this statute: "The statute under consideration * * * does not prohibit sales of oleomargarine which is not tainted with the prohibited ingredient."

See also *People v. Phillips*, 9 Id. 393; 91 N. W. Rep. 616.

The legislature has defined oleomargarine which may be manufactured and sold in this state. Sec. 6, Act No. 147, Public Acts of 1899. It is conceded that the respondent has complied with this act. If we give the enlarged construction to the statute now in question, as urged by the relator, it follows that the legislature has prohibited the manufacture and sale of a valuable article of food, the natural color of which resembles yellow butter (itself almost universally colored by extraneous matter.) The manufacturer of such a product, if he sold it at all, would be compelled to introduce some coloring matter so as to make it look unlike the yellow butter of commerce. These two statutes must be construed together. The article sold by the respondent is clearly authorized by the first act. The latter act does not in terms prohibit its sale and manufacture. It does prohibit the use of any substance for the sole purpose of producing yellow color. The use of such coloring matter was the sole mischief then known to exist, and the only danger to be apprehended and guarded against.

A similar statute was passed in New Jersey, and the like contention was made to support a conviction, and the court said: "To construe the statute so broadly would render it practically prohibitive of the sale of all oleomargarine; for, of course, the compound must derive color from its ingredients, and such a prohibition has manifestly not been declared."

Ammon v. Newton, 14 At. Rep. 610; 50 N. J. 548.

McCann v. Commonwealth, 48 At. Rep. 470; 198 P. A. St. 509.

Our statute is copied verbatim from that of Massachusetts. The supreme court of that state, in a case just decided, has held that the statute applies only to extraneous substances or ingredients which cause the product to look like butter, and not to cases where the ingredients themselves naturally produce the color.

Commonwealth v. Himberg, ——— ———.

The Supreme Court of the United States so held in regard to the same statute.

Plumley v. Commonwealth, 155 U. S. 461.

The term "ingredient," used in the statute, does not refer to the ingredients essential to produce the article as defined by the legislature, but to an ingredient used to produce color. The maxim *noscitur a sociis* applies.

Under this disposition of the case it becomes unnecessary to discuss any constitutional question.

The order is affirmed.

The other justices concurred.

PEOPLE v. HARRIS.

(Opinion filed December 1, 1903.)

Food—Corn Syrups—Glucose.

1. Public Acts 1903, No. 123 forbids the sale of cane syrup or beet syrup mixed with glucose, unless the package containing the same be distinctly branded "Glucose Mixture" or "Corn Syrup," with the name and percentage of each ingredient contained therein plainly stamped thereon. *Held*, That a sale of syrup made of 90 per cent pure corn syrup and 10 per cent cane syrup, labeled "Victor Corn Syrup," and truthfully stating the ingredients composing it, is not in violation of the statute, in that it is not branded "Glucose, 90 per cent., and cane syrup 10 per cent."

Exceptions from circuit court, Kent county; Willis B. Perkins, Judge. Benjamin S. Harris was convicted of violating the "Act in relation to the sale of corn syrup" and brings exceptions. Reversed.

Respondent was prosecuted and convicted for a violation of Act No. 123 of the Public Acts of 1903, entitled, "An act in relation to the sale of corn syrup," and reading as follows:

"Sec. 1. No person shall offer or expose for sale, have in his possession with intent to sell, any cane syrup, beet syrup, or glucose, unless the barrel, cask, keg, can, pail or package containing the same be distinctly branded or labeled with the true and appropriate name; nor shall any person offer or expose for sale, have in his possession with intent to sell, or sell any cane syrup or beet syrup mixed with glucose unless the barrel, cask, keg, can, pail or package containing the same be distinctly branded or labeled 'Glucose Mixture' or 'Corn Syrup' in plain Gothic

type not less than three-eighths of an inch square, with the name and percentage by weight of each ingredient contained therein plainly stamped, branded or stenciled on each package in plain Gothic letters not less than one-quarter of an inch square. Each and every package of syrup either simple or mixed shall bear the name and address of the manufacturer. Such mixture or syrups shall have no other designation or brand than herein required that represents or is the name of any article which contains a saccharine substance; and all brands or labels required shall be an inseparable part of the general or distinguishing label, and that the general or distinguishing label shall be that principal and conspicuous sign under which it is sold.

"Sec. 2. Whoever shall do any of the acts or things prohibited, or neglect or refuse to do any of the acts or things required by this act or in any way violate any of the provisions, shall be deemed guilty of a misdemeanor, and shall be punished by a fine not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment in the county jail for a period of not less than thirty days nor more than ninety days, or by both such fine and imprisonment in the discretion of the court."

The complaint charges him with the unlawful sale of "a two-pound can, two pounds, of a certain article, product and compound, to-wit: corn syrup, so-called, made wholly or in part of cane syrup and glucose as follows, to-wit: Cane syrup ten per cent, and glucose ninety per cent, said can containing said article, product and compound sold as aforesaid not being then and there stamped, branded or stenciled with the name and percentage by weight of each ingredient contained therein, to-wit: cane syrup ten per cent, glucose ninety per cent; but said article, product and compound sold as aforesaid was then and there stamped and branded as follows, to-wit: 'Cane syrup ten per cent, corn syrup ninety per cent,' against the form of the statute in such case made and provided, and against the peace and dignity of the people of the State of Michigan."

Respondent moved to quash the complaint and warrant for two reasons: (1) they charged no offense; (2) the act authorizes the use of the words "Corn Syrup," instead of Glucose in the statement of the ingredients placed upon the can. The motion was overruled and the case proceeded to trial upon the following agreed facts:

1. The respondent sold upon October 12, 1903, at the city of Grand Rapids, Michigan, the can of Victor Corn Syrup in question.

2. The label on said can of syrup sold, as stated in the complaint, contains the formula of contents of said can as follows: "Corn syrup, ninety per cent; cane syrup, ten per cent;" and is not branded or labeled as the people claim it should be, "Glucose, ninety per cent; Cane Syrup, ten per cent."

3. The Victor Corn Syrup in question is in fact composed of ninety per cent syrup made from corn, commercially called Glucose or Corn Syrup, and ten per cent of cane syrup.

4. Glucose contained in the Victor Corn Syrup in question is in fact a pure syrup made entirely from corn.

5. Grape Sugar commercially known as Glucose, either solid or liquid, is a generic name for starch sugar as distinguished from the cane sugar.

6. A simple beet syrup is evidently the same as the simple cane syrup.

7. Originally, Glucose, which was first made from grapes, was, for the reason that starch sugars are identical with the sweet principle of

grapes, termed, for a great many years, and until lately was known chemically and commercially as Grape Sugar.

8. Commercially, Glucose is now made in this country entirely from corn, although abroad it is still made from potatoes.

9. The consuming public does not understand that Glucose is a syrup made entirely from corn. On the contrary, it is claimed by the respondent that the public generally supposes Glucose to be an inferior product made from animal fat, or a product of the glue factory, while they do recognize corn syrup as being made from corn.

10. Glucose as made from corn and contained in Victor Corn Syrup in question, is entirely harmless and recognized generally by highest authorities as a valuable food product.

11. Glucose made from corn, in fact, costs at the present time, owing partially to cost of raw material, more to produce, and sells for more in the markets, than manufactured cane syrup.

The court directed a verdict of guilty.

Grant, J.: Does the statute require respondent or manufacturers to state upon their labels that corn syrup consists of ninety per cent glucose? No such statute has come under the decision of other courts. It is a new question, and must be determined upon general principles of construction.

It is conceded that the label states the exact facts; that the article is made of ninety per cent pure corn syrup and ten per cent cane syrup; that it deceives no one; that Victor Corn Syrup is a valuable and pure article of food, and that the ingredient ninety per cent corn syrup "is entirely harmless, and recognized generally by the highest authority as a valuable food product," whether it be called glucose or corn syrup. The term "Glucose" is obnoxious to many, if not a majority, of the public, and is misunderstood by them. They do not know that in this country glucose is now made entirely from corn, and that the terms glucose and corn syrup are commercially synonymous. This fact is known to the manufacturers and perhaps the dealers. A prejudice exists against the term "glucose" because that material can be manufactured from many substances, including sawdust. In Europe it is made mainly of potatoes. By many it is associated with a glue factory. In this country corn syrup and glucose are not only commercially synonymous terms, but it is stated by counsel for respondent that they are permitted to be so used in all the other states. We have not verified this statement, but as it is not challenged we assume it to be correct.

We have, therefore, a valuable and healthful product, made from two pure, valuable and healthful ingredients, advertised and placed upon the markets for what it really is, without any deception, fraud or chance to injure the public in any way. Yet the contention on the behalf of the people is that the legislature has enacted that in putting this product upon the market its manufacturers and sellers must attach to it a name obnoxious to the public, and, in fact, calculated to deceive them. When it is claimed that such innocent acts are made *malum prohibitum*, there must be either an express provision of the statute so declaring, or the language of the statute must leave no other conclusion reasonable. This statute does not expressly require it.

The argument on behalf of the people in "that glucose made from corn

is glucose, the simple syrup mentioned in and intended to be mentioned in said act." The further claim is "that had there been any intention on the part of the legislature to use the terms 'glucose' and 'corn syrup' interchangeably and as synonymous then the term 'corn syrup' would have been enumerated as one of the simple syrups." We do not think this reasoning at all conclusive. Prior to the enactment of this statute the law prohibited the sale of molasses, syrup or glucose unless distinctly branded or labeled with its true and appropriate name,—or any mixture thereof, unless it was branded or labeled "glucose mixture," and the per cent in which glucose entered into its composition. C. L., Sec. 524. The present act which repeals the provisions of the former act expressly permits the mixture to be labeled "glucose mixture," or "corn syrup," and forbids mixtures of syrups to have any other designation than required in the act so far as such designation "represents or is the name of any article which contains saccharine substance." It is a fair presumption that the legislature, in enacting this law, recognized the obnoxious character of the term "glucose" among the people, and permitted, and intended to permit, a mixture of corn syrup and cane syrup to be sold under the name of Corn Syrup. The title to the act provides for the sale of corn syrup, and in its body provides that when cane syrup is mixed with it, the manufacturers and dealers shall state the proportionate ingredients. The smaller amount of cane syrup used does not change the character of the general product, any more than salt changes the character of bread, or, sugar that of cake, and the act permits the sale of the mixture as corn syrup. Syrup, as defined by the United States Department of Agriculture, "is the product obtained by purifying and evaporating the juice of a sugar producing plant without removing any of the sugar." Syrup thus obtained from cane is cane syrup; syrup so obtained from sorghum is sorghum syrup, and syrup so obtained from corn is corn syrup. There is no reason why corn syrup should be labeled glucose, and until the legislature have so ordered in language susceptible of no other construction, the law must be held not to bear that construction.

Conviction reversed, and respondent discharged.

Hooker, C. J., took no part in the decision. The other justices concurred.

PEOPLE v. HINSHAW.

(Opinion filed January 5, 1904.)

Pure Food Law—Adulterated with Harmless Ingredients—Act 193, P. A. 1895, construed.

The coloration of "Extract of Vanilla" with any substance to give it the appearance of greater strength is a violation of the pure food law, even though such coloring matter is harmless.

Act 193, P. A. 1895, as amended by Act 118, P. A. 1897, held constitutional.

Error to the circuit court for Saginaw county; B. A. Snow, judge.
Appeal of Emory H. Hinshaw from a conviction under the pure food law. Affirmed.

Charles A. Blair, Attorney General, and Frank A. Rockwith, Jr., and C. M. Browne, for the people.

Eugene Wilber for respondent and appellant.

Respondent was prosecuted and convicted of the unlawful sale of "Extract of Vanilla, which was then and there adulterated within the meaning of act number 193 of the Public Acts of the State of Michigan of the year 1895, as amended by act number 118 of the Public Acts of 1897, in this, to wit: That said extract of Vanilla was colored by the addition of a foreign coloring matter, to wit: coal tar dye, whereby its inferiority was concealed, and whereby said Extract of Vanilla was made to appear better and of greater value than it really was."

Two errors are assigned.—(1) that the court erred in instructing the jury; (2) that the act is unconstitutional as repugnant to the Fourteenth Amendment to the Constitution of the United States.

Grant, J.: I. The instruction complained of is as follows:

"Now before the inferiority of an article can be concealed it must be necessarily first ascertained as to whether or not there is an inferiority in the article. If it is an inferior article and that inferiority is concealed by reason of the addition of foreign substance in this vanilla, and you are satisfied from the proof beyond a reasonable doubt of the fact, then he would be guilty, although he had no knowledge as to the foreign substance being in the bottle."

It appears that no such claim was made on behalf of respondent upon the trial; no request was asked covering the points now raised. The only objections shown by the record to have been made are.—first, that the title is not broad enough to cover the provisions in the amendment of 1897; second, that the legislature has no power to prohibit and punish acts in themselves harmless; third, that the act is unconstitutional.

Even in criminal cases it is the duty of counsel to call the attention of the court to the points on which an instruction is desired. *People v. Ezze*, 104 Mich. 311.

We, however, are of the opinion that the information charges the coloration to make an inferior article appear better and more valuable than it really was, and is sufficient; and also that there was evidence to sustain the allegation. The State Chemist testified that the effect of the coal tar dye was to make the article appear of greater value than it really is, and that the people would think it stronger than it really was. It is true, his testimony was weakened by cross-examination, but not sufficient to take the question from the jury,—especially in view of the fact that no other purpose than to make the article appear better, is shown.

II. The use of coal tar dye being harmless, counsel for respondent insists that the case comes within the rule of the recent case of *People v. Jennings*, 94 N. W. R. 216; 10 D. L. N. 39. That case had not been decided when this case was tried. No such theory was advanced upon

the trial. Even if it were, we, however, think the case is clearly distinguishable from *People v. Jennings*. The color given to lemon extract, which of itself is almost colorless, is no indication whatever of the strength of the extract or its value. Its color is a mere whim or caprice of the trade, and no more indicates the character and value of the extract than does the coloring matter, used to color butter, indicate its character and value. In this case Vanilla resembles the color of the bean from which it is produced. Its strength and value are judged to some extent at least, under the evidence in this case, from its color. No other object is apparent from the use of the coloring than to make it appear of a quality better than it really is.

III. It is urged that the act is unconstitutional on account of the proviso "that nothing in this act shall prevent the coloring of pure butter." This act is similar in its provisions to that involved in *People v. Rotter*, 91 N. W. R. 167; and *People v. Phillips*, Id. 616. The constitutionality of such acts was there sustained, and a discussion is unnecessary. *Capital City Dairy Co. v. Ohio*, 183, U. S. 238, 246, is decisive of the question.

The conviction is affirmed.

The other justices concurred.

The Pratt Food Company

v.

Arthur C. Bird, Dairy and Food

Commissioner of the State of Michigan.

Montgomery, J.: The bill in this case is filed to restrain the defendant, his clerks and employes, from writing, printing, issuing, publishing or sending out any bulletin, writing, publication or notice, to the effect that complainant's preparations sold as Pratt's Food for Horses and Cattle, Pratt's Poultry Food, and Pratt's Animal Regulator, or either of them, are not licensed under Act No. 12 of the Laws of 1905, and warning the public against buying or selling these preparations.

The bill sets out that the defendant asserts and claims that these preparations come within the terms of the act, and that unless restrained by injunction he will so assert by bulletins issued to the trade, and by this method intimidate dealers and prevent their purchasing complainant's products. (We are stating simply the substance of the averments in brief.) It is also asserted that the effect of such bulletins will be to destroy and ruin the complainant's trade and work irreparable injury.

Upon the hearing below the bill was dismissed, and the complainant appeals. Three questions are presented upon the record, first, whether in view of the case complainant is entitled to the remedy here invoked; second, whether Act No. 12 of the Public Acts of 1905 is constitutional; third, whether if it be constitutional the complainant's products come within the terms of the statute.

1. The statute in question is an amendment of Act No. 211 of the Public Acts of 1893, entitled "An act to provide for the appointment of a Dairy and Food Commissioner, and to define his powers and duties

and fix his compensation," and by section 18 of the act it is provided that "Any manufacturer, company, person or persons who shall sell, offer or expose for sale or for distribution, in this State, any concentrated commercial feeding stuff used for feeding live stock, shall furnish with each car, or other amounts shipped in bulk, and shall affix to every package of such feeding stuff, in a conspicuous place, on the outside thereof, a plainly printed statement, clearly and truly certifying the number of net pounds in the car or package sold or offered for sale, the name or trade-mark under which the article is sold, the name of the manufacturer or shipper, the place of manufacture, the place of business, and a chemical analysis, stating the percentages it contains of crude protein, crude fibre, nitrogen—free extract and ether extract, all constituents to be determined by the methods adopted by the association of official agricultural chemists. Whenever any feeding stuff is sold at retail in bulk or in packages belonging to the purchaser, the agent or dealer shall furnish to him a certified copy of the chemical analysis named in this section. The term concentrated commercial feeding stuffs as used in this act shall include linseed meal, cotton seed meal, pea meals, cocoanut meals, gluten meals, oil meals, of all kinds, gluten feeds, maize feeds, starch feeds, mixed sugar feeds, hominy feeds, rice meals, oat feeds, corn and oat feeds, meat meals, dried blood, clover meals, mixed feeds of all kinds, slaughter house waste products; also all condimental stock foods, patented and proprietary stock foods, claimed to possess nutritive properties and all other materials intended for feeding to domestic animals. * * *" A penalty is provided for the violation of this provision.

It is strenuously insisted by the Attorney General that if it be conceded that the complainant's products do not come within the inhibition of this statute, yet no remedy by injunction exists, for the reason that the effect of issuing an injunction is to restrain the prosecution of a criminal proceeding. Numerous cases are cited, among them *Arbuckle v. Blackburn*, 113 Fed. Rep 625; *State v. Wood*, 155 Mo. 425, and *Predigested Food Co. v. McNeal*, 1 Oh. N. P. 266.

In so far as these cases lay down the rule that a court of equity will not interfere to restrain a public officer from invoking the criminal law and instituting a prosecution for a violation of a statute they have our full approval. A court of equity will not transfer to its own jurisdiction the trial of a criminal case, and this though the prosecution may fall with some hardship upon the accused party. Nor, as a general proposition, will a court interfere to restrain the publication of a libel.

But we hold in *Beck v. Railway Teamsters' Protective Union*, 118 Mich. 497, that injunction will lie to restrain a combination of persons from acts which tend to ruin complainant's business by bringing to bear upon his customers intimidating and coercive means. The principle which should rule the present case is identical. If the acts which are threatened are unlawful it cannot be doubted that placing in the hands of every dealer in the State a bulletin which in effect threatens them with prosecution in case they make use of these products in the form in which they are lawfully sold to them would be to absolutely exclude complainant's business from the State. The case presented is very similar in this aspect to that of *American School of Magnetic Healing v.*

McAnnulty, 187, U. S. 94, which case involved the right of the Postmaster General to exclude the complainants from the use of the United States mails. An order had been made excluding complainants from the use of the mails. The court interfered and held that such order was a violation of the property rights of the persons affected and granted relief.

2. Is the law constitutional?

It is claimed that the law is unconstitutional in that it violates Section 20 of Article IV of the constitution, which provides that no law shall embrace more than one object, which shall be expressed in its title.

It is established by our decisions that if what is introduced by way of an amendment to an act might have been incorporated in the act under the original title there is no violation of this section. *People v. Gadway*, 61 Mich. 285; *Attorney General v. Bolger*, 128 Mich. 355.

The question is therefore whether under the original title a provision fixing a standard of pure food and providing means to prevent deception in the sale of such food is within the title of an act to provide for the appointment of a Dairy and Food Commissioner and to define his powers and duties and fix his compensation. We think the title is within our previous decisions sufficient. It is obvious to one reading this title that there must have been imposed upon the commissioner certain powers and duties to make his department of any value to the State, and furthermore that these powers and duties must have relation to something. It is equally obvious that the relation of these powers and duties must be to the subject which is brought within the Department that is created, viz., the Dairy and Food Department.

The title is very similar to that which established the Insurance Bureau. In *Connecticut Mutual Life Ins. Co. v. State Treasurer*, 31 Mich. 6, it was held that a title which read "An act to establish an Insurance Bureau" was sufficiently broad to cover any pertinent regulations respecting the bureau's course of action towards those engaged in insurance, and any appropriate provisions for prescribing the duty due from the insurance companies to the State in the matter of taxation, without violating the constitutional provisions.

3. The question of more difficulty is the question of fact as to whether the preparations of complainant are concentrated commercial feeding stuffs as defined by the act cited above.

It is true that testimony shows that upon each of the labels which accompanied Pratt's Food for Horses and Cattle was the statement: "Pratt's Food is a regulator, to be used according to directions, and is not sold as a feeding stuff, nor is it to be fed in place of grain or any other feed." But in addition to claiming medicinal properties for the food it was also stated how it should be used to fatten and improve stock. It was stated that "It fattens both cattle and hogs quickly, makes them grow larger and healthier and make their meat tender, more juicy and better eating." It also stated that for horses it "produces bone, muscle and better staying powers; improves the wind."

When this statute was enacted commercial feeding stuffs were on the market and this fact must have been known to the legislature.

In employing the broad language "All condimental stock foods, patented and proprietary stock foods, claimed to possess nutritive properties and all other materials intended to cover all preparations for which

the claim of nutritive qualities was made." Complainant's preparations come within this language.

Similar representatives were made in the labels of other preparations.

We are of the opinion that the Circuit Judge was right in holding that all these preparations were within the statute.

The decree is affirmed with costs.

Pierre Viaus Maple Company, Complainant, v. Arthur C. Bird, Dairy and Food Commissioner, and Joseph Schnitzer, Inspector of the Dairy and Food Department, Defendants. Before Grant, C. J., Blair, Montgomery, Ostrander and Hooker, JJ.

Complainant is the manufacturer of a brand of syrup known as the "Pierre Viaus Pure Canadian Maple Syrup and Cane Syrup." The trademark being the letters P. V. The bill alleges that the Canadian Pure Maple Syrup exceeds the amount of Cane Syrup. It sets forth efforts made with the Pure Food Commission to agree upon a label which shall comply with the law, the failure of these negotiations, the representations made to the trade by the defendants that the sale of this syrup is illegal, and the injurious effect upon the complainant's business, and prays that the defendants be restrained from in any manner interfering with its business. To this bill of complaint the defendants demurred upon the ground that the syrups mentioned in said bill of complaint are not labeled as required by the laws of this State. The demurrer was overruled and the defendants have appealed.

Grant, C. J.: It is urged by the Attorney General that the sale of this mixture is in violation of section 5007 of the Compiled Laws, reading as follows:

"That it shall be unlawful for any person, dealer, firm, manufacturer or corporation to manufacture and sell, or offer for sale, any maple sugar, maple molasses or maple syrup that is in anywise adulterated with common sugar, beet sugar, glucose or any other foreign substance without distinctly marking, stamping or labeling the articles or the package containing the same with the true and appropriate name of such article and the percentage in which common sugar, beet sugar, glucose or any other foreign substance enters into the composition of the same."

It is urged by the complainant that the case falls within Act 193, Public Acts of 1895, known as the Pure Food Law, and entitled "An act to prohibit and prevent adulteration, fraud and deception in the manufacture and sale of articles of food and drink."

Sec. 1. (C. L. 5010) of the act prohibits the sale or having in possession with intent to sell any article of food which is adulterated within the meaning of the act.

Sec. 2 (C. L. 5011) defines the term "food" to include all articles used for food or drink.

Sec. 3 (C. L. 5012) states what articles shall be deemed to be adulterated. The section closes with the following proviso:

"Provided further, That the provisions of this act shall not apply to mixtures or compounds recognized as ordinary articles or ingredients of articles of food, if each and every package sold or offered for sale bear the name and address of the manufacturer and be distinctly labeled under its own distinctive name, and in a manner so as to plainly and correctly show that it is a mixture or compound, and is not in violation with definitions fourth and seventh of this section."

The court held that this syrup came within the Pure Food Law (Act 193), and not under the act prohibiting the adulteration of maple sugar, etc., and that it came within the proviso above quoted.

We think the court was in error. The act in regard to the manufacture and sale of maple sugar is complete in itself, and covers the entire subject. It was intended to prohibit the manufacture and sale of maple sugar under any name without labeling the product with the true and appropriate name, stating thereon the percentage of any other ingredient used in its manufacture. The title of the act is "An act to prohibit the adulteration of maple sugar, maple molasses and maple syrup." The word "adulteration" in this statute means the mixture of any foreign substance, wholesome or unwholesome, with maple sugar. The evident purpose of the statute is to compel all persons manufacturing or selling maple sugar to inform the public not only of what the product is composed, but the proportions of each article used in the manufacture.

Decree reversed, and bill dismissed with costs of both courts.

Armour & Co., Complainants,

v.

Arthur C. Bird, State Dairy and Food Commissioner,
et al., Defendants.

Before: Blair, C. J., Grant, Montgomery, Ostrander, Hooker, J.J.:

Complainant is a corporation organized under the laws of the State of New Jersey, with headquarters in Chicago, Illinois. It is and has been, for many years, engaged in the manufacture and sale of fresh and cured meats and sausage and other meat products. Its sale of these products, including sausage, extended over the entire State of Michigan.

In the year of 1906, the defendant, the Dairy and Food Commissioner, caused chemical examination to be made of the various brands of sausage sold within the State, including that of the complainant, and found that many of them contained cereals and a percentage of water greater than that found in meat alone. On January 16, 1907, he issued the following circular:

"Gentlemen—A growing tendency on the part of manufacturers of sausage, bolognas and similar meat products, to use various preparations and substances foreign to the legitimate ingredients necessary to the manufacture of these articles of food, the said preparations being commonly known and designated as fillers, binder, etc., has prompted this Department to make a thorough investigation into such sausages.

This has been done for the purpose of ascertaining the true reasons for the widespread practice of using the preparations mentioned.

The results obtained from the investigation as carried on in the Department laboratory lead to but one conclusion, viz., that the addition of so-called binders and fillers to meat products is primarily for the purpose of substituting in part an inferior or cheaper substance for legitimate ingredient, thereby lessening the cost of manufacture.

The first and second subdivisions of section 5012 of the Compiled Laws provide that an article shall be deemed to be adulterated within the meaning of the act,—first, if any substance or substances have been mixed with it so as to lower or depreciate or injuriously affect its quality, strength or purity; second, if any inferior or cheaper substance or substances have been substituted wholly or in part for it. Basing its ruling on the subdivisions of section 5012 above cited, this Department holds that the addition of the so-called binders and fillers mentioned to meat products is contrary to law. From and after this day, manufacturers and dealers will be held to a strict account for each and every violation. Provided, however, That dealers within the State are given until January 25, 1907, to dispose of stocks on hand.

Yours very truly,

“A. C. BIRD,

“State Dairy and Food Commissioner.”

This circular was sent to all the meat dealers of the State, and a copy sent to the complainant at Chicago. Those employed under the direction of the defendant Food Commissioner also verbally informed the retail dealers of the State that they would be prosecuted if they did not comply with the above order. The trade of the complainant in Michigan was very large, and the effect of this circular, and the threats of prosecution verbally made, naturally tended to decrease very largely the complainant's sales in this State, and to cause it considerable loss. Therefore, on November 18, 1907, complainant filed its bill of complaint in this cause, setting forth the above circular and threats on the part of the defendants, the injury to its business, that defendants were acting illegally in their conduct, and praying that they be restrained from “declaring in any manner, orally or in writing, to the customers and patrons of your orator, or to the people of the State of Michigan, that the sausages and other meat products of your orator containing cereal, manufactured and sold, and offered for sale in the State of Michigan, are sold and offered for sale in violation of any statute of the State of Michigan,” The bill alleges that the sausage manufactured and sold by the complainant bear labels showing their respective ingredients, in accordance with the standard fixed by the laws of the United States and the regulations of the Department of Agriculture thereunder, a sample of said labels being set forth in the bill and reading as follows:

ARMOUR'S "DEVONSHIRE" Farm Style Sausage Meat.
Made from the Meats of Hams and Selected Young Pork.
Prepared with choicest spices and cereals. Armour & Company.

U. S. Inspected and passed under the Act of Congress of June 30, 1906. Establishment 2 A.

An answer was duly filed denying that the sausage manufactured and sold by the complainant in this State containing cereals and water is a wholesome product, or that it is manufactured in accordance with the Act of Congress of June 30, 1906, and the regulations of the United States Department of Agriculture; or that it is a compound or mixture within the meaning of the proviso of Sec. 3, Art 193, Pub. Acts of 1895, as amended. The answer admits that the sausage of the complainant is shipped into this State in packages, or boxes, labeled with the trade name of the sausage and the words "with cereal," but alleges that the consumer, or purchaser of the retail dealer, is in no way advised, when he purchases, that the sausage contains cereal, or cereal and added water, unless such purchaser purchased the entire package shipped to the dealer, and that even then he was not informed that the product contains added water.

Both the bill and answer contain other allegations which we deem it unnecessary to state. Issue was joined, proofs taken in open court and by deposition, and after a full hearing decree was entered dismissing the bill. The statute, C. L. Sec. 5012, under which the defendants claim to justify their action, is as follows:

"An article shall be deemed to be adulterated within the meaning of this act: First, if any substance or substances have been mixed with it, so as to lower or depreciate or injuriously affect its quality, strength or purity; second, if any inferior or cheaper substance or substances have been substituted wholly or in part for it; third, if any valuable or necessary constituent or ingredient has been wholly or in part abstracted from it; fourth, if it is an imitation of, or is sold under the name of another article; fifth, if it consists wholly or in part of a diseased, decomposed, putrid, infected, tainted or rotten animal or vegetable substance or article, whether manufactured or not, or in case of milk, if it is the product of a diseased animal; sixth, if it is colored, coated, polished, or powdered whereby damage or inferiority is concealed or if by any means it is made to appear better or of greater value than it really is; seventh, if it contains any added substance or ingredient which is poisonous or injurious to the health: Provided, that nothing in this act shall prevent the coloring of pure butter: And provided further, that the provisions of this act shall not apply to mixtures or compounds recognized as ordinary articles or ingredients of articles of food, if each and every package sold or offered for sale bear the name and address of the manufacturer and be distinctly labeled under its own distinctive name, and in a manner so as to plainly and correctly show that it is a mixture or compound, and is not in violation with definitions fourth and seventh of this section."

Grant, J.: The following facts are admitted or established beyond controversy:

(a) The sausage manufactured by the complainant is a wholesome article of food. It contains nothing deleterious to health.

(b)) It is a mixture or compound within the meaning of the proviso in the statute above quoted, being composed of meat, cereal, salt and spices.

(c) It is made in accordance with the Act of Congress and directions prescribed thereunder by the Commissioner of Agriculture, and under the inspection of the United States inspectors.

(d) Sausage is made of different kinds of meat, viz., pork, beef and veal. Whether manufactured for interstate commerce or domestic use within the State, it is sometimes made with cereal, and sometimes without it. Cereal is not a necessary ingredient to its manufacture, although it has been used by most manufacturers for many years.

(e) Water is an essential ingredient in the manufacture of sausage, whether made with or without cereal. This is shown by the evidence of the defendants. One of their witnesses, with an experience of thirty-five years, testified:

"In the manufacture of pork sausage we use pork, and if the pork is a little too fat we put in some veal or beef. It is necessary to have a little water added, a quart and a half to 100 pounds. It is pretty hard to make them without. We use a little more water than would be found in the meat when freshly killed."

Another, who had been engaged in the manufacture of sausage since 1864, testified:

"I put a little water in pork sausage. I use from five to ten pounds of water to 100 pounds of meat. Enough to make it pliable that is all. I use from eight to ten pounds of water in making beef sausage. I presume you could make sausage without water, but you could not stuff it very well."

Another who learned to make sausage in Germany, testified:

"I have always used water and still use water in the manufacture of sausage. Water is necessary. They use water in making sausage in Germany. So far as I know everyone used it."

The United States regulations require that the water used shall be pure.

(f) It is not in violation of definitions four and seven of the act. It does not violate definition seven because it contains no substance or ingredient poisonous or injurious to health. It does not violate definition four because meat is the basis and principal ingredient of the article. As manufactured by complainant, it contains from two to ten per cent of cereal. It is and has been for more than forty years, recognized in the trade as sausage. When sold as sausage with cereal added it deceives no one, and is not an imitation and manufacturers are entitled to manufacture and label it as sausage with cereal. It is not contended that manufacturers have not the right to use the name "sausage" when sold with a proper label.

The Federal statute is practically identical with that of Michigan, and contains a proviso reading:

"That an article of food which does not contain any added poisonous or deleterious ingredients shall not be deemed to be adulterated or misbranded in the following cases:

First. In the case of mixtures or compounds which may be now or from time to time hereafter known as articles of food under their own distinctive names, and not an imitation of or offered for sale under the distinctive name of another article, if the name be accompanied on the same label or brand with a statement of the place where said article has been manufactured or produced.

Acting under this law, the Department of Agriculture, on September 12, 1906, adopted the following regulation:

"Sausages and Chopped Meats. The word sausage without a prefix indicating the species of animal is considered to be a mixture of minced or chopped meats with or without spices. If any species of animal is indicated as pork sausage, the sausage must be wholly made from the meat of that species. If any flour or other cereal is used the label must so state. If any other meat product is added, the label must so state."

To this regulation the department added "manufacturers are warned that the above rulings do not exempt them from the enforcement of state laws."

The learned circuit judge, in his opinion, found that sausage manufactured as is that of the complainant, "is probably as healthy as pure sausage such as was known to the fathers."

Briefly stated, then, the case is this: complainant, a resident of another state, is manufacturing and shipping into this State a wholesome article of interstate commerce in strict accord with the law and regulations of the federal government. State law cannot interfere with this interstate traffic. The law here involved does not attempt to interfere with it, or to deny to the complainant the right to sell and ship its goods to retail dealers in this State. There are, therefore, but two questions material to the determination of this controversy, viz.:

(1) May the State through its legislature enact laws regulating the domestic sales of this product to consumers within the State?

(2) Does the statute above cited include the product made by the complainant?

It is not contended that the State is not clothed with the power to regulate the domestic sale of such products after their shipment into the State. Intoxicating liquor, which is a subject of interstate commerce, may be shipped into this State in original packages, but it cannot be sold within the State in violation of the State laws regulating or prohibiting its sale. No contention is made that the State statute in question is not constitutional and reasonable. Pure food laws have been enacted probably in all the states and have been universally held valid when reasonable. The sole question therefore left to determine is whether the statute includes sales to consumers in small quantities taken from the original packages. If the domestic dealer were to sell an original package labeled as above to the consumer, such sale would be valid, because the label complies with the law and notifies the purchaser that the article is not a sausage of meat alone, but a sausage composed of meat and cereal. It is not contended that manufacturers of sausage have not the right to label their product "sausage" with the statement added that it is mixed with other products, specifying them.

If we understand the position of counsel for complainant correctly, it is that in construing this statute courts should be governed, not by the popular and common understanding of the meaning of the word "sausage," but by its trade and commercial meaning; that is, its meaning as understood between the manufacturers and their customers to whom they sell for retail to consumers. They say:

"It is unmistakable that the legislature understood it was enacting a law with reference to an article of food which was then a subject of trade and commerce among the people. There were at times scores of different

kinds of "sausage" upon the market, that is, sausage made in different ways, a difference in the ingredients used in the various kinds, and a variance in the proportions used; and different manufacturers and dealers made and dealt in different kinds, and each knew that all this variety of meat food products were included in the term "sausage," and the legislature is charged with knowledge of that fact, and must be presumed to have used the term 'food' accordingly."

In support of this they cite several cases from the federal courts construing the tariff on duty acts, in which it has been held that the laws of Congress imposing duties upon imported goods must be construed with reference to the trade or commercial meaning of the articles mentioned in the law. Among the cases cited are the

Two Hundred Chests of Tea, 9 Wheaton 430;
Cadwalader v. Zeh, 151 U. S. 171;
McCoy v. Hedden, 38 Fed. Rep. 89.

In the Two Hundred Chests of Tea it was held that "bohea tea" was used in the duty act in its known commercial sense, viz., "that article which in the known usage of the trade acquired that distinctive appellation."

In Cadwalader v. Zeh, the question was whether, under the duty act, earthenware consisting of small cups, saucers, mugs, etc., having on them pictures of animals and other objects, and letters of the alphabet, should have been assessed as toys with 35 per cent advalorem, or as china, etc., with 60 per cent advalorem. The case was held to depend upon the commercial meaning of the word "toys."

In McCoy v. Hedden, the question was whether currycombs were dutiable under a provision imposing a duty upon combs of all kinds. If they were not known to the trade among merchants as combs they were held not dutiable as such. These and other similar cases arose between the United States and importers of foreign goods, and do not apply to cases arising under the pure food laws of state governments. Courts will take cognizance of the well known fact that farmers, laboring men and consumers are not generally familiar with the customs of trade and commerce in importing goods, or of understandings of the trade between manufacturers and merchants who buy those products for retail trade. Such construction would emasculate the pure food laws and deprive the people of the protection which the legislature wisely intended to give them.

Sausage is defined by all the lexicographers as an article of food composed of meat, salt and spices. (See Worcester's and Century dictionaries.) The people generally so understand it. The writer of this opinion would be compelled to admit that until very recently he had no knowledge that cereal was used in the manufacture of sausage. It is too manifest for further argument that the legislature in enacting the law was not providing for the regulation of sales between manufacturers and merchants, but between retail dealers and consumers. They enacted the law solely for the protection of consumers, the people who buy and eat the products. The consumer who prefers sausage made of meat alone is entitled to be informed that he is buying such an article. The consumer who prefers sausage mixed with cereal is entitled to know that he is

purchasing that article. The contention of the complainant, if sustained, would deprive the consumer of this right which the statute plainly gives him. We cannot follow *State v. Nesland*, 120 N. W. Rep. 107 (Iowa), wherein it is held that sales in small quantities from original packages are not within the statute. In that case a pound of lard was sold from a fifty-pound package properly labeled with its constituent parts, but it was held that the retail dealer was not required to label the small packages sold. That opinion is based upon the well known rule that penal statutes must be strictly construed. The statute of Michigan expressly provides that these mixtures must be labeled showing the different kinds of ingredients contained in them. Sec. 2 is as follows:

"The term food, as used herein, shall include all articles used for food or drink, or intended to be eaten or drank by man, whether simple, mixed or compound."

This is a general statute covering all food products not otherwise specifically provided for. We consider its provisions perfectly plain, and not subject to any misunderstanding or uncertainty. To hold otherwise would substantially exclude all the benefits and protection to the people of the State which the statute was clearly designed to grant. We, therefore, hold that retail packages of small amounts taken from the original package of the manufacturer, and sold to the consumer, must be properly labeled as the law directs.

The court below dismissed the complainant's bill, thereby granting it no relief whatever. In view of the position taken by the Food Commissioner in his circulars and answer herein filed; and in view of the importance to the complainant, and to the people of the State to know under what conditions a wholesome article of interstate commerce may be sold in this State, we think the learned circuit judge should have entered a decree defining the rights and determining under what conditions complainant, as well as other manufacturers, may have their valuable and wholesome products sold by the retail dealers, and to restrain the defendants from interfering with such legitimate sales.

The Food Commissioner, as above stated, denied in his answer that the sausage made by the complainant was a wholesome product, or that it was a mixture or compound within the meaning of the act and insisted that it was an adulteration. His attitude is further shown by his reply to complainant's letter of January 17, 1907, asking "if there would be any objection to using cereal if such fact is stated on label same as provided by national law." He denied this permission, which was not only a compliance with the federal law, but a compliance with the State law.

The use of cereal in the manufacture of sausage has been very general. The State Food and Dairy Commissioner of Iowa, who at the time of the hearing below had held office for five years, testified to its general use in that state, stating that "the ingredients used by the Iowa manufacturers in making sausage are chopped meat, salt, spices, flour and sufficient water." In July, 1907, he issued a bulletin stating:

"The Commissioner has no authority to establish standards for the information of the public: It is here stated that this department will not interfere with the sale of sausage because of the presence of wholesome

flour, provided that an analysis does not show more than five per cent of such flour."

It appears to be established by the evidence that sausage made with cereal is sold cheaper than that made of meats alone. If so, the people desiring to buy and eat the cheaper products should have the privilege of doing so, and such product should not by any decision of the court be prohibited from sale.

The opinion of the circuit judge does not prohibit its sale when properly labeled. He held that the trouble was not with the use of cereal, but in permitting the product to be sold at the retail counter without informing the customer that cereal is a part of it. Counsel for respondents conceded in the oral argument in this court that it was a wholesome food and was entitled to sale in this State, when sold under a proper label informing customers of what it is composed.

It is conceded that the use of cereal requires more water than does sausage made with meat alone. Anyone of intelligence would, upon reflection, know this to be the fact. The only doubt I entertain in the case is whether the label should, in addition to the words "with cereal," contain also "and water." In view of the fact that water is generally used in the manufacture of all sausage, and that no law or regulation of the food department has fixed the amount of water that may be used, it would seem like judicial legislation for the court to require the label to show that water is used in the manufacture.

The statute does not require the label to state the proportion of the ingredients composing the mixture but only the names of the ingredients. The statute makes special provision for butter, cheese, lard, canned fruits and vegetables coffee and molasses. There are other statutes governing the manufacture and sale of specific products requiring the proportions of the ingredients to be placed upon the labels, such as Act 123, Public Acts 1903; *People v. Harris*, 135 Mich. 136.

It is within the power of the legislature to pass an act specifically provided for the manufacture and sale of sausage, and that the labels should state the proportions of the ingredients used. We hold a label "sausage with cereal" upon packages sold to consumers is a compliance with the statute in labeling the mixture, and a decree should be entered so stating. A decree will be entered in this court in accordance with the above opinion. No costs will be allowed.

PEOPLE v. JACOB.

(Opinion filed January 4, 1915.)

State Officers—Dairy and Food Commissioner—Inspection of Prisons by Statutes
—Act 12, P. A. 1905.

In the prosecution of the Superintendent of the Detroit House of Correction for his refusal to permit inspectors of the State Dairy and Food Department to inspect the prison:

HELD, (by an equally divided Court): Though the State Dairy and Food Commissioner is limited in his investigations to inspections of the store, etc., of the manufacturer or vendor of food or drink products which are made, stored, sold or offered for sale, as the Detroit House of Correction is paid by the different counties of the state for the board of prisoners sent to that institution under contract, it comes within the class that sells food, etc., and is amenable to the provisions of Act No. 12, P. A. 1905.

The inspection of state penal institutions is within the purview of the statute relating to the general Pure Food Law.

While the law provided for the inspection of penal institutions by the Board of Corrections and Charities (Sec. 2252, C. L. 1897) and in the case of the Detroit House of Correction, by the Board of Inspectors appointed by the Common Council of the City, the act creating the Detroit House of Correction (Sec. 2156, C. L. 1897) permits inspections by any state authority, of which the State Dairy and Food Department is one.

In an opinion by Justice Stone (Ostrander, Kuhn, Moore, JJ., concurring) the opposite view is taken.

Exceptions to recorder's court of Detroit. William F. Connolly, Judge.

Appeal of Bernhardt Jacob from a conviction for refusing to permit inspectors from the State Dairy and Food Department to inspect the Detroit House of Correction. Affirmed.

Grant Fellows, Attorney General; James W. Helme, Dairy and Food Commissioner, both of Lansing, for the People.

William E. Tarsney, Assistant Corporation Counsel; Richard I. Lawson, Corporation Counsel, of counsel, both of Detroit, for defendant.

Before the Full Bench.

Stone, J.: This case is before us upon exceptions before sentence. The appellant is the superintendent of the Detroit House of Correction, a State penal institution, located in the City of Detroit. On October 21, 1913, Burr B. Lincoln, a State dairy and food inspector, sought to make an investigation of the food conditions in the said institution, and for that purpose he called upon the appellant and requested that he be permitted to go through the building and see the foods that were there served. This request was refused by the appellant, who informed the inspector that he had no right there; that it was an institution over which the dairy and food inspectors had no jurisdiction, and that he could not go through the institution. Because of this refusal complaint was made charging appellant with a violation of Act No. 167 of the Public Acts of 1899, being "An Act in relation to the powers and duties

of the Dairy and Food Commissioner of the State of Michigan." This act provides that any person who shall obstruct the said commissioner, or his deputy, or any of his duly appointed inspectors, by refusing to allow him entrance to any place where he is authorized to enter in the discharge of his official duty, shall be guilty of a misdemeanor, and prescribes the punishment.

A hearing was had upon this complaint in the recorder's court, and the respondent and appellant was, by the verdict of a jury, found guilty as charged.

The questions raised by the assignments of error, may be combined into the one question, namely: Has the Dairy and Food Commission, or its inspectors, power, under the law, to investigate the food conditions of the Detroit House of Correction?

On the part of the people it is contended that ample power is vested in the inspectors of the Dairy and Food Commission to make such investigation, and that in view of the refusal of the superintendent to permit the making of the investigation, he had violated the act above referred to. Attention is called by the People to Chapter 76, Compiled Laws of 1897, under the provisions of which said institution was erected, and is controlled and especially to Section 2156, which provides that:

"The management and direction of the said house of correction, subject to periodical inspection by the state authorities, in their discretion, shall be under the control and authority of a Board of Inspectors, to be appointed for that purpose by the Common Council of the City of Detroit upon the nomination of the mayor."

It is urged by the prosecution that under this section alone the State has a right to inspect the institution, and that the right of inspection by any State authority is here given; that authority to inspect this institution is made still plainer by the Pure Food Laws of the State; that Sec. 6 of the Act creating the office of Dairy and Food Commissioner and defining his powers and duties (C. L. 4978, as amended by Act 12, Public Acts of 1905), states that such commissioner or his deputy, or any person appointed by him for that purpose.

"shall have power, in the performance of their duties, to enter into any creamery, factory, store, salesroom, drug store, or laboratory, or place where they have reason to believe food or drink are made, stored, sold or offered for sale and open any cask, tub, jar, bottle or package containing or supposed to contain, any article of food or drink, and examine or cause to be examined the contents thereof, and take therefrom samples for analysis."

Attention is also called to Sec. 4 of the Amendatory Act of 1905, which provides that the inspectors shall have the same right to access to the places to be inspected as the said commissioner or his deputy.

A reading of the entire of Sec. 6, above referred to, shows that the Dairy and Food Commissioner, his deputy or inspectors, shall regulate filthy and unsanitary conditions which may exist in the operation of any bakery or other places where "any food or drink products are manufactured, stored, deposited or sold for any purpose whatever."

It was admitted upon the trial of the case that a bakery was maintained in the institution to bake bread for the prisoners, at the time complained of.

Sec. 5029, Compiled Laws of 1897, makes it the duty of the Dairy and Food Commissioner of the State to investigate all complaints for violations of the act known as the General Pure Food Law, and especially it is made the duty of the food inspectors in the cities to examine all complaints made to them of violations of the act.

On the part of the defendant and appellant it is contended that the act creating the State Dairy and Food Commission, and the amendments thereto, together with Act No. 167 of the Public Acts of 1899, did not confer the right upon the State Dairy and Food Commission or its inspectors to inspect the food conditions of a public or State institution such as the Detroit House of Correction.

It is urged by defendant's counsel that, by the terms of the act creating it, the institution is used for the confinement, punishment and reformation of criminals, or persons sentenced thereto, under the laws authorizing the confinement of convicted persons in the House of Correction; that the management and direction of the said House of Correction subject to periodical inspection by the State authorities is, by statute, placed under the control and authority of a board of inspectors appointed by the common council of the City of Detroit upon the nomination of the mayor; that this board of inspectors is authorized and empowered by the common council to make rules for the regulation and discipline of the House of Correction, and to appoint a superintendent; that under the statute the superintendent has entire control and management of all its concerns subject to the authority established by law, and the rules and regulations adopted for its government.

It is contended by the appellant that the Detroit House of Correction is not any one of the places named in which the State Dairy and Food Commissioner or his inspectors are authorized to enter; that the institution is not a creamery, factory, store, etc., or a place where the inspectors would have reason to believe food and drink are made, stored and offered for sale, within the meaning of the statute.

An examination of the statutes relevant to this subject has led us to the conclusion that the public penal institutions of this State, including the Detroit House of Correction, are not within the purview or terms of the statute relating to the General Pure Food Law. The legislature has provided a visitorial board, whose duty it is to inspect these institutions and make due report thereon. As early as 1871 provision was made for a commission to be appointed, subsequently called "The Board of Corrections and Charities," of which the governor is ex officio a member. Sec. 2252, Compiled Laws, reads as follows:

"The said commissioners, by one of their number, or by their secretary, shall, at least once in each year, visit and examine into the condition of each and every of the city and county poorhouses, county jails, or other places for the detention of criminals or witnesses and the said board or a majority thereof, with their secretary, shall, at least once in each year, visit and examine the reform school, state prison, Detroit house of correction, and state and county asylums for the insane, and the deaf, dumb and blind, and for the purpose of ascertaining the actual condition of the institution by them or either of them visited, the method of instruction, government, or management therein pursued, the official conduct of the superintendents or other officers and employes in charge thereof, or connected therewith, the condition of the buildings, grounds, or other property thereunto belonging, and the facts as to all other matters in any manner pertaining to the usefulness and proper management of the institutions, poorhouses,

and jails above named. They, or either of them, and their secretary, shall have free access thereto at any and all times and shall have authority to administer oaths and examine any person or persons in any way connected with or having knowledge of the condition, management, and discipline of such institutions, jails or poorhouses, as to any matters or inquiries not contrary to the purposes or provisions of this act."

Attention is called to the remaining portions of this statute:

An examination of the statutes relating to the government of the State prisons and reformatories, the powers and duties of boards of control and of the wardens of the institutions, will show that these officers have plenary power and control over all matters relating to the government of the institutions, including food, medicine, clothing, bedding, etc.,—everything which pertains to the health and well being of the inmates. With these ample provisions, and the added power of visitation lodged in the Board of Corrections and Charities, it does not seem to us that it was the intention of the legislature that this ground was also to be covered by the Dairy and Food Commission. In our opinion, that commission has no jurisdiction over these institutions, but its right to inspect is limited to the store, etc., of the manufacturer or vendor of food or drink products, which are made, stored, sold or offered for sale to the general public.

It will be noted that the language relied upon by the People in the Amendatory Act of 1905, defining the several places, where inspection may be made by the Dairy and Food Commissioner, is specific in designating certain places, to-wit: Creamery, factory, store, salesroom, drug store or laboratory, followed by the general words, "or places where they have reason to believe food or drink are made, stored, sold or offered for sale." This general language must be construed as meaning places of the same kind, of the same general character or sort as those named.

Although it appears in this record that the Detroit House of Correction bakes its own bread for its inmates, and for that purpose may be said to operate a bakery, yet it does not seem to us that such a place can be covered by any of the specific words mentioned. Certainly it is not a creamery, factory, store, salesroom, drug store or laboratory, as those words are used in the statute. The general rule should here apply that when after the enumeration a statute employs some general term to embrace other cases, the other cases must be understood to be cases of the same general character, sort, or kind, with those named. In other words, "they are known from their associates."

Brooks vs. Cook, 44 Mich., 617-619, and cases cited;
Roberts vs. City of Detroit, 102 Mich., 67;
Drake vs. Industrial Works, 175 Mich., 662.

We are, therefore, forced to the conclusion that the Detroit House of Correction—a State penal institution, with its superintendent and its board of inspectors, subject to the visitation of the Board of Corrections and Charities—is not embraced within, and was not intended to be embraced within, the provisions of the Pure Food Law, and that the inspector had no authority to enter the premises. Whenever the legislature desires to clothe the Pure Food Commission with such authority it will doubtless so express itself. We think it has not done so in the

past legislation. Reaching this result, that conflict in jurisdiction of the different boards, which would lead to an unseemly contest, is avoided. The conviction must therefore be reversed, and the defendant discharged.

Ostrander, Kuhn and Moore, JJ., concurred with Stone, J.

Brooke, C. J.: Mr. Brother Stone in the earlier part of his opinion states very clearly the contentions made on behalf of the people in this case. It is claimed that the Dairy and Food Commissioner, or his deputy, is authorized to make the inspection, which was denied, upon two grounds:

1st. Under the act creating the Detroit House of Correction. Sec. 2 (C. L. 1897, Sec. 2156), which provides:

"The management and direction of the said house of correction, subject to periodical inspection by the state authorities in their discretion, shall be under the control and authority of a board of inspectors, to be appointed for that purpose by the common council of the city of Detroit."

It is claimed on behalf of the people that this language used in the law of its creation is broad enough to warrant the inspection of said institution by ANY State authority. In my opinion the contention is fully warranted by the language used. It would be difficult to select words of more general import than those used in the statute:

"subject to periodical inspection by the state authorities in their discretion."

No particular State authority is pointed out, nor is the right of inspection limited to any such particular authority. There is no doubt that included among the State authorities entitled to the right of inspection is the State Board of Charities. It, however, by no means follows that the exercise of the right by that board exhausts the authority of the State under the language of the section above quoted. It seems to me clear that the labor department might very properly inspect the institution to determine whether proper safety devices were employed as provided by the general laws of the State touching that subject. The State Board of Health, too, should have authority to inspect and determine whether the laws relating to sanitary conditions were being obeyed therein. And closely akin to the necessity for such inspection is the necessity for inspection by the State Dairy and Food Department in order that it may be determined that the food served is wholesome in quality.

It should be borne in mind that the institution is one of considerable magnitude, within the walls of which are confined several hundreds of prisoners, male and female. The female prisoners therein are boarded at the expense of the State and many counties of the State having individual contracts with the institution, by the terms of which a per diem amount is paid for the board and medical attendance of each prisoner.

Several industries are carried on in the institution requiring the use of machinery. In my opinion, it is an institution peculiarly requiring the supervision of every department of the State whose activities are directed to securing to the inhabitants thereof sanitary conditions,

wholesome food, and freedom from danger to life and limb through the use of improperly guarded machinery.

If there could be any doubt of the right of the people to insist that the Dairy and Food Commissioner, or his deputies, is authorized to make the inspection which was denied in the instant case, it is disposed of by a reading of Section 6 (C. L. 1897, Sec. 4978), of the law creating that department. That section authorizes the entry of the commissioner, or his deputies, to certain named places, and,

"or places where he had reason to believe food or drink is made, stored, sold or offered for sale."

In my opinion it is idle to say that the House of Correction is not such a place. Whatever may be said of other penal institutions of the State, this particular institution stores food in large quantities, which it sells. The record shows that during the year it received the very considerable sum of \$32,659.00 for the board of prisoners confined therein.

It is, in a sense, in the business of selling food. The fact that its customers happen to be the State itself and several political divisions of the State, makes no difference in the principle involved. It would, I think, scarcely be contended that a hotel, keeping, storing, and offering food for sale to its guests was not subject to the inspection provided for in the act creating the Dairy and Food Department. In any event, I think such a construction of the legislation is too narrow, and I quite agree with the opinion expressed by the learned judge, who, in refusing to charge as requested by the respondent, said:

"I refuse to give this request to charge, gentlemen of the jury, upon the ground that it is my opinion that the spirit of the Dairy and Food Law is to procure and secure proper food and drink for all of the inhabitants of the state. That is its general purpose and scope. And that the terms of the act creating the Dairy and Food Commission, the acts amendatory thereto, are broad enough to include the Detroit House of Correction and all other penal institutions."

The judgment of the court below should be affirmed.

McAlvay, Bird and Steers, JJ., concurred with Brooks, C. J.

Filed January 3, 1916.

The People of the State of Michigan

vs.

Carl Dehn, Respondent.

Before the full Bench.

Moore, J.: The respondent is charged with violating the provisions of Act 151 of the Public Acts of the year 1913, in that he did "offer for sale and did sell to James E. Helber, a certain quantity of sausage, to-wit: one-quarter pound, which said sausage was then and there adulterated within the meaning of Act 151 of the Public Acts of the State of Michigan for the year 1913, said sausage then and there containing added cereal or vegetable flour exceeding two per centum, to-wit: 6.22 per centum contrary to the provisions of the act aforesaid."

After the testimony on the part of the People, and part of the testimony on the part of respondent was in, it was admitted by respondent

that he sold sausage as charged in the information, containing more than six per cent of cereal, and claimed the right to do so for reasons that will appear later.

The trial judge directed the jury to bring in a verdict of guilty and after returning to the jury room they did so. The case is here on exceptions before sentence.

It was claimed below that respondent should have been discharged,

First, because said Act No. 151 of the Public Acts of 1913, upon which said information is based, is unconstitutional and void for the following reasons: (a) Because the title to said act is not broad enough to include the offense so complained of. (b) Because the provisions of said act prohibiting the sale of sausage containing vegetable flour or cereal in excess of two per cent is contrary to the provisions of Section 16 of Article 2 of the Constitution of this State, providing that no person shall be deprived of life, liberty or property without due process of law. (c) Because the aforesaid provisions of said law are contrary to the fourteenth amendment of the Constitution of the United States. (d) Because said act prescribes a cruel and unusual punishment and excessive fine, contrary to the provisions of Section 15 of Article 2 of the Constitution of the State. (e) Because the provisions of said act are uncertain and indefinite, in that it is impossible to determine from said act whether the per cent of cereal is to be by weight or volume.

a. The title of Act 151, Public Acts of 1913, reads:

"An Act providing for the protection of the public health and the prevention of fraud and deception, by prohibiting the sale, the offering for sale or exposing for sale or the having in possession with intent to sell, of adulterated or deleterious sausage; defining sausage; and prescribing the penalty for the violation hereof."

The provisions of the Act material here are as follows:

"Section 1. It shall be unlawful for any person or persons, by himself, herself or themselves, or by his, her or their agents, servants or employees, to sell, offer for sale, expose for sale or have in possession with intent to sell, sausage that is adulterated within the meaning of this act. Sausage when used in this act shall be deemed to include Bologna, Weine-wurst and Frankforts."

"Section 2. For the purpose of this act, sausage or sausage meat shall be held to be a comminuted meat from neat cattle or swine, or a mixture of such meats, either fresh, salted, pickled or smoked, with added salt and spices, and with or without the addition of edible animal fat, blood and sugar, or subsequent smoking. It shall contain no larger amount of water than the meats from which it is prepared contain when in their fresh condition."

"Section 3. For the purpose of this act, sausage shall be deemed to be adulterated:

First, if it contains added water in excess of the quantity required to bring the amount up to that which the meats from which it is prepared contain immediately after slaughter.

Second, if it contains any cereal or vegetable flour."

* * * * *

"Nothing in this act shall be construed as prohibiting the sale of sausage which when properly labeled shall conform to the following standard: Sausage shall not contain cereal in excess of two per cent. When cereal is added its presence shall be noted on the label or on the product."

* * * * *

"Section 4. Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars, nor more than two hundred dollars, or to undergo an imprisonment of not less than thirty days, nor more than sixty days, or both or either, in the discretion of the court."

The sufficiency of the title to acts to justify the provisions of the acts under them has been before this court repeatedly; see *People vs. Worden Vinegar Co.*, 118 Mich. 604; *People vs. Rutter*, 131 Id. 250. In *People vs. Gansley*, an opinion handed down this term, there is a full discussion of the subject with a collection of the authorities. It is not necessary to repeat what is there said. We think the title sufficient.

b. and c. may be considered together. The testimony is to the effect that the cereal used was a healthful article of food, and it is argued by counsel that the legislature is not authorized to prevent the sale of such food. We quote from the brief:

"This case, therefore, presents the question as to whether the legislature of the State can prohibit the sale of a wholesome, nutritious and non-injurious article of food. We have no complaint of those provisions of the statute which require sausage to be labeled when cereal is used; that to our mind is a wise and proper provision and if followed will be ample protection to the public."

* * * * *

"It is our contention that if the consumer prefers sausage made with cereal or if he can afford to buy it when so made and not when manufactured of meat alone, or if the condition of his health will not permit him to eat sausage when made of pure meat, the legislature has no right and no power under the Constitution of this State to deprive that person of his right to purchase this wholesome article of food, nor to interfere with the business of the manufacturer in supplying this demand."

Counsel for appellant cite in support of their contention, *Armour vs. Bird*, 159 Mich. 1; *People vs. Biesacker*, 169 N. Y. 53; *Schallenger vs. Penn.*, 171 U. S. 1; *State vs. Hanson*, 118 Minn. 85; *Collins vs. New Hampshire*, 171 U. S. 30; *St. Louis Independent Packing Co. vs. Houston*, 215 Federal Reporter, 553, and other authorities found in the brief.

An examination of these cases will show they are not controlling of the case before us.

The record disclosed that the sausage was sold in this instance for fifteen cents a pound; that the cereal that goes into its manufacture cost three and one-half or four cents a pound, and that a pound of the cereal usually absorbs from a pound and a tenth to two and one-fifth pounds of water.

It is evident that if respondent may legally use six per cent of cereal he may use ten or twenty per cent or any proportion which in his judgment can be mixed with the other ingredients without destroying the demand for his product.

It is not claimed by the People that the cereal added to the meat made a product deleterious to health, but that it does lower the value of the sausage, and is a deception and fraud upon the purchaser, and that to avoid such a result the State has in the exercise of the police power the right to fix food standards, and that in the passage of the Pure Food Law it is well within its rights.

Courts recognize the difficulty of defining the police power of the State. It is, however, a power which will adapt itself to the constantly changing conditions of life. In 6 Ruling Case Law, page 186, it is said:

"Judge Cooley says that the police power of a State 'embraces its whole system of internal regulation, by which the State seeks not only to preserve the public order and to prevent offense against the State, but also to establish for the intercourse of citizens with citizens those rules of good manners and good neighborhood which are calculated to prevent a conflict of rights and to insure to each the uninterrupted enjoyment of his own so far as is reasonably consistent with a like enjoyment of rights by others,' and the courts have quoted this definition with approval many times. It has also been stated that the police power is but another name for that authority which resides in every sovereignty to pass all laws for the internal regulation and government of the State, and that it comprises that portion of the sovereignty of the State which was not surrendered by the terms of the federal constitution to the central government. Finally, it has been said that by means of this power the legislature exercises a supervision over matters involving the common weal, and enforces the observance, by each individual member of society, of the duties which he owes to others and to the community at large."

In the same authority at page 208 it said:

"The police power of the State is not limited to regulations necessary for the preservation of good order or the public health and safety. The prevention of fraud and deceit, cheating and imposition, is equally within the power, and a State may prescribe all such regulations as in its judgment will secure or tend to secure the people against the consequences of fraud, such as the prohibition of the sale of deceitful imitations of articles of food in general use, the requirement that goods sold should bear labels showing the ingredients, or the regulation of weights and mea-

asures, prohibiting the use of coloring matter in articles of food, e. g. substitutes for butter, whereby purchasers might be deceived into believing that they were purchasing a genuine article, the regulation of the size of loaves of bread, and the prevention of deception as to the character or quality of goods offered for sale.”

* * * * *

“In general it may be said that a State may institute any reasonable preventive remedy required by the frequency of fraud, or the difficulty experienced by individuals in circumventing it, especially when other means have not proved to be efficacious.”

In *Armour and Company vs. Dairy and Food Commissioner*, 159 Mich. at page 10, it is said:

“Sausage is defined by all the lexicographers as an article of food composed of meat, salt and spices. See *Worcester's* and *Century Dictionaries*. The people generally so understand it. The writer of this opinion would be compelled to admit that until very recently he had no knowledge that cereal was used in the manufacture of sausage.”

In *St. Louis Independent Packing Company vs. Houston*, 215 Federal Reporter, at page 556, it is said: “The word ‘sausage’ is defined by all lexicographers as an article of food composed of meat, salt and spices,” and we think it might be added that until recently the average purchaser of food would expect to get a product composed only of those articles if he inquired for sausage.

In this connection the language of Justice Hooker in *People vs. Rutter*, 131 Mich. 250, is helpful:

“Butter is a well known commodity. From time immemorial it has had but one origin, viz., from the churning of milk or cream. Whatever may be said of the possibility of making a product from other compounds than milk or cream that shall closely resemble or be chemically identical with butter, the world has but one understanding of what is meant by the word ‘butter,’ and we must assume that such is the sense in which our legislature used the term. 1 Comp. Laws, Sec. 50, subd. 1. A fair inference from this statute is that the legislature undertook to prevent deception by preventing the sale of any yellow oleomargarine, and it undertook to accomplish this by the most effective means, viz., by prohibiting the coloring of oleomargarine yellow, thereby avoiding the embarrassment which would otherwise arise from the necessity of proving in each case that deceit was used in selling it as and for butter.”

In *State vs. Ice Cream Co.*, 147 N. W. R., at page 201, it is said:

We are not to say and do not, of course, determine, that these defendants, or the association appearing in argument, or any particular person, is or has been guilty of any fraud or deception. The question is whether, without a standard, dishonest or un-

scrupulous manufacturers may do so. It is not practicable by any ordinary inspection for the purchaser to distinguish cheaper, low-grade ice cream from the better quality. Because of this it is apparent from the matters which we have detailed that an opportunity is afforded for deception by selling an inferior quality of ice cream at the price of a better or more expensive grade. This was the case in the sale of oleomargarine. *State vs. Packing Co.*, 124 Iowa 232, 100 N. W. R. 59, 2 Ann. Cas. 448."

* * * * *

"The purpose of the act in question was to prevent just such deception and fraud as would be possible without a standard, and it seems to us it cannot be seriously claimed that the statute will not accomplish the end sought."

In *State vs. Campbell*, 64 N. H. 402, occurs the following:

"But the defendant takes the broader ground that the legislature cannot, under the Constitution, prohibit the sale of milk drawn from healthy cows, which in its natural state falls below the standard fixed by the act, unless such milk, or the article made from it, is in fact unwholesome or dangerous to public health."

* * * * *

"The difficulty of guarding against the adulteration of milk may have influenced the legislature in fixing a standard of richness. Practically it makes no difference whether milk is diluted after it is drawn from the cow, or whether it is made watery by giving her such food as will produce milk of an inferior quality, or whether the dilution, regarded by the legislature as excessive, arises from the nature of a particular animal or a particular breed of cattle. The sale of such milk to unsuspecting consumers for a price in excess of its value is a fraud which the statute was designed to suppress. It is a valid exercise by the legislature of the police power for the prevention of fraud and the protection of the public health, and as such is constitutional."

In *State vs. Creamery Co.*, 83 Minn. 284, it is said:

"The defendant claims that this statute, in so far as to prohibits the sale of cream solely because it contains less than twenty per centum of fat, is unconstitutional, because it is unreasonable and not a proper exercise of the police power, is based upon an arbitrary classification, and is special legislation, and is an unlawful restraint of trade, and illegally restricts the citizen's right to contract and pursue a lawful calling, and deprives him of his liberty and property without due process of law."

"The section of the statute in question is a part of the general statutes of the state, which were enacted to prevent deception in the sale of dairy products, and its obvious purpose is to fix a standard for cream, and forbid the sale of any cream, as such, which is below the prescribed standard, whereby unsuspecting purchasers may be defrauded. It must be and is, construed so as to effectuate such purpose. We accordingly hold that the statute

in question forbids, and only forbids, the sale of cream, as such, which is below the prescribed standard. So construed, the statute is a proper exercise of the police power of the state, and is valid. Its constitutionality rests upon the same principles as does the validity of statutes prohibiting the sale of milk unless it contains a prescribed percentage of fat and solids, and other similar statutes. The constitutionality of such statutes has been uniformly sustained. *Butler v. Chambers*, 36 Minn. 69, 3 N. W. 308, 1 Am. St. Rep. 644, and notes; *Com. vs. Evans*, 132 Mass. 11; *State v. Smyth*, 14 R. I. 100; *State v. Campbell*, 64 N. H. 402, 13 Atl. 585; *City 1. Cook*, 38 Mo. App. 660. Counsel for the defendant while practically conceding the validity of statutes fixing a standard for milk and forbidding the sale of milk below such standard, seek to distinguish such statutes from statutes of the character of the one we are considering, for the reason that:

"Cream is a natural product, and when not diseased or impure, is not only harmless, but beneficial as food and for many other purposes, whether it contains ten per cent of fat or thirty-five per cent of fat. It is commonly known that there is no practice of adulterating cream as there is in the case of milk, nor of simulating it as in the case of butter, and that pure cream is wholesome, though it contains less than twenty per centum of fat."

"We cannot take judicial knowledge of the supposed facts thus asserted; for if this is a matter in which we are required to take judicial notice of the facts, we know that it is entirely feasible to mix pure cream with a limited amount of milk, and produce a mixture which may be sold to the inexperienced as pure cream. Undoubtedly there is less necessity for a statute to prevent deception in the sale of cream than there is of one to prevent fraud in the sale of milk, because the latter may be classed as a necessity, and the former as a luxury, and its sale is not as general as that of milk; but the distinction is one of degree, not of principle. In either case the legislature is the sole judge of the necessity and propriety of preventing deception in the sale of the article, by appropriate legislation. *Powell v. Pennsylvania*, 127 U. S. 678, 8 Sp. Ct. 992, 1257. And the legislature, by this statute, having, in the exercise of the police power, fixed a standard for all cream to be sold as such, the act is valid."

In the case of the *People vs. Worden*, 118 Mich. R. 604, this court sustained a law fixing the standard ingredients of vinegar as a proper exercise of the Police power, saying in effect that if it is contended the standard fixed is unreasonable that the question might very properly be addressed to the Legislature. See *City of St. Louis vs. Reuter*, 190 Missouri, 514; *People v. Gierard*, 145 N. Y. R. 105; *Commonwealth v. Evans*, 132 Mass. 11.

We think the legislature was within the police power.

We have considered the other assignments of error and deem them not well taken.

The conviction is affirmed and the case is remanded for further proceedings.

PEOPLE v. FEDERIGHI.

Opinion filed June 8, 1916.

Criminal Law—Complaint—Sufficiency of—Knowledge.

Knowledge of a violation of Act 207, P. A. 1913, having been made an essential ingredient of an offense under this statute, a complaint which fails to allege knowledge on the part of the respondent, is fatally defective.

Error to circuit court, Berrien county. George Bridgman, judge.

Appeal of Cesare Federighi from a conviction of a violation of Act 207, P. A. 1913. Reversed and respondent discharged.

Grant Fellows, Attorney General; Chester P. O'Hara, Prosecuting Attorney of St. Joseph, for the people.

G. M. Valentine and John J. Sterling, both of Grand Haven, for the defendant.

Before the full bench.

Kuhn, J.: The respondent is charged with a violation of Section 5 of Act 207, Session Laws of 1913. This act is entitled:

"An Act to prevent fraud and deception in the sale of Michigan grown fresh fruits and vegetables, and to provide penalties for violations of this act."

The act contains six sections. The first five sections regulate the packing and sale of fruit, and define what acts shall constitute a violation of the law. The complaint upon which this prosecution is based alleges facts which are within Section 5, which is in terms as follows:

"No person shall sell or offer, expose or have in his possession for sale, any fresh fruits or vegetables packed in any package in which the faced or shown surface gives a false representation of the contents of such package, and it shall be considered a false representation when more than twenty per cent of such fresh fruits or vegetables are substantially smaller in size than or inferior in grade to, or different in variety from, the faced or shown surface of such package, natural deterioration and decay in transit or storage excepted."

Section 6, which is the penal section of the statute, reads as follows:

"Every person who, by himself, his agent or employee, knowingly violates any of the provisions of this act shall for each such offense, be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding ten dollars, or by imprisonment in the county jail for a period not exceeding thirty days, or by both such fine and imprisonment in the discretion of the court."

The respondent was arrested, tried and convicted in the justice court, and on appeal to the circuit court was again tried and convicted. At the trial in the circuit court his counsel moved that the court direct the jury to render a verdict of not guilty, on the ground that neither the complaint nor the warrant charged or alleged that the respondent had

knowingly violated the statute under which the prosecution is brought. Respondent also presented certain requests in writing for instructions to the jury which involved the same questions. These were refused by the court. After his conviction respondent moved an arrest of the verdict, assigning four reasons or causes therefor, all of which challenged the sufficiency of the complaint and warrant. This motion was denied. The sole question, therefore, which is properly before us on exceptions before sentence is whether or not the complaint and warrant sufficiently charged an offense under the said provisions of Act 207, Session Laws of 1913.

It is unquestionably the settled rule in this State that where scienter is made an ingredient of the offense, it is necessary to charge and prove it. There is some difficulty in determining on a reading of this act, exactly what the intention of the legislature was in the use of the word "knowingly" in section 6. Section 5 does not make knowledge a substantive ingredient of the offense. But in our opinion, all the sections of the statute should be taken together, to determine what the legislative intent was, and there can be no doubt that it was the intention of the legislature to make the scienter a part of the offense created by this statute.

We are of the opinion that it cannot be said that simply selling the fruit which does not come up to the standard required by the statute necessarily implies that the seller knew of the inferiority. This is not, therefore, one of that class of cases in which it has been held that knowledge need not be averred where it cannot possibly be said that the respondent could have been ignorant of the offense. See *People v. Lennox*, 106 Mich. 625. We see no escape from the conclusion that the complaint is fatally defective in that it does not charge one of the essential ingredients of the offense created by the statute, that is, that the respondent knowingly committed the act made illegal thereby. *People v. Fitzgerald*, 92 Mich. 328.

The complaint not stating the offense charged by the statute, it follows that the judgment must be reversed and the respondent discharged.

WEIGHTS AND MEASURES.



THIRD ANNUAL REPORT
OF THE
State Superintendent of Weights and Measures
OF THE
STATE OF MICHIGAN
FOR THE
YEAR ENDING JUNE 30, 1916.

JAMES W. HELME,
State Superintendent of Weights and Measures.

BURR B. LINCOLN,
Deputy Superintendent of Weights and Measures.

Hon. Woodbridge N. Ferris, Governor, Lansing, Michigan.

Sir:—The following is my report of the work of the Weights and Measures Division of the Dairy and Food Department, also of the work of the county and city inspectors of weights and measures, for the year ending June 30, 1916:

The Dairy and Food Department does not attempt to test all the scales in the State because of the small number of inspectors in the department. It would be impossible to thoroughly police the State without a much larger force. Fourteen counties have county sealers of weights and measures and twenty cities have city sealers of weights and measures, leaving the rest of the State without sealers unless the Dairy and Food Department does the work. The provisions of the law providing for city and county sealers are not compulsory. The law makes it optional with the board of supervisors or the city council whether they appoint local sealers or not. The writer has spent considerable time and expense to the State trying to convince boards of supervisors and city councils that they should appoint sealers. Some have responded; the majority have not. The intention of the legislature when the bill was passed was that the Dairy and Food Department should have oversight over the weights and measures of the State, leaving the work of testing the measures and scales and enforcing the law to the city and county sealers. Few sealers were appointed in comparison with the territory to be covered and the work to be done, and changes should be made in the law providing either that the appointment of city and county sealers be compulsory or the number of dairy and food inspectors increased so that they can do the work.

The writer does not favor county inspectors. An inspection of their work and their reports do not show as good work as they should. There are several reasons for this. The majority of the counties of the State are of small population and they cannot afford to pay a fair salary to maintain a man the year round. A sealer not working the year round is not at his best, as new conditions are constantly arising which a sealer has to study out to do good work. Any dealer who intentionally short-weighs his customers soon learns that the sealer works only part of the year, which leaves the public without protection, as the sealer does not care to work without pay. The public has to pay the tax whether it is a State or a county official. The counties which have sealers would not have to pay any more proportionately to a State inspector than they pay for a county inspector. County sealers are not as aggressive in condemning scales and enforcing the law as the State and city sealers. The reason the writer is not prepared to give, unless the county sealer is afraid he will make enemies.

The writer does not include all county sealers in the above list, particularly the sealers of Saginaw, Marquette, St. Clair and Bay Counties.

All cities having a population over 5,000 should be compelled to appoint a sealer of weights and measures.

Following is a list of the cities and counties having sealers:

CITY SEALERS.

F. G. Barnard, Battle Creek.
Randall Eberstein, Kalamazoo.
John H. Zehnder, Saginaw.
Lieut. George F. Austin, Detroit.
Ed. C. Rogers, Lansing.
George Eldredge, Adrian.
Ed. Friar, Flint.
A. J. Finn, Cheboygan.
John J. Byrne, Grand Rapids.
Bert Van Nortwick, Greenville.
Fred J. Miller, Alpena.
E. J. Gatfield, Ludington.
F. E. Conant, Belding.
Charles J. B. McNally, Owosso.
J. B. Austin, Pontiac.
G. A. Osborn, Jackson.
Frank Van Ry, Holland.
O. H. Stevens, Albion.
J. W. Worden, Highland Park.
Roy W. Ferris, Muskegon.

COUNTY SEALERS.

D. Ward, Clare County, Clare.
John Anderson, Grand Traverse County, Traverse City.
David H. Hawken, Gladwin County, Gladwin.
Thomas M. Wells, Marquette County, Negaunee.
Fred Dolecke, Eaton County, Charlotte.
William J. Schwalm, Huron County, Bad Axe.
R. G. Elliott, Alger County, Munising.
John W. Tait, Iosco County, East Tawas.
George L. Smith, Chippewa County, Sault Ste. Marie.
C. J. Wuellner, Menominee County, Menominee.
Alvin A. Greer, St. Clair County, Port Huron.
Howard B. Clark, Washtenaw County, Manchester.
Pat Connors, Ontonagon County, Matchwood.
H. E. Maxson, Bay County, Bay City.

CAR TRACK SCALES.

Upon request of this department, the National Bureau of Weights and Measures sent its track scale inspection car to Michigan during the month of December. They tested forty track scales in Michigan. These scales were tested in the cities of Detroit, Grand Rapids, Jackson, Bay City, Saginaw, St. Charles, Port Huron, Harbor Beach, and Flint. Very few of the scales passed inspection. The error was found to be as high as 10.84% on a scale over which a great deal of weighing was done, which

convinced the department that some system of track scale inspection should be carried out in Michigan, as the railroads have not the proper equipment to give their scales a good test. At the present time, the railroads charge a very heavy freight rate for hauling the cars around, and especially for placing them on the scales. People would naturally think that the railroads would want their scales tested so as to be sure of their accuracy. The legislature should provide for a track scale inspection car which would not cost over \$18,000, and also should provide that the railroads move this car at their own expense. There are a great many track scales in Michigan, there being over two hundred in Detroit alone. A fee should be charged for testing private car track scales of at least \$15 a scale.

WAGON SCALES.

Because of the large expense incurred in moving the weights, only twenty-six hopper scales were tested; nineteen were right and seven were not. As so much money is involved over the hopper scales, there should be a more extensive inspection of these scales by the department, and a fee should be charged for their inspection also. Of the wagon scales seventy-eight were correct and one hundred fourteen incorrect. This shows 59.4% of these to be wrong. Nine of these scales were adjusted. The average person thinks that when a scale is in balance it is correct, which idea is erroneous, as the average scale will balance, but it still may weigh wrong. Several large commercial firms which have a number of wagon scales have been starting a system of inspection of their own, especially the beet sugar manufacturing companies. Some firms' inspection is very efficient and they keep their scales up in good shape. A ton of weights does not cost a company much, and it will be to their advantage to test same so that they will be sure of the accuracy of their scales.

The largest number of complaints received by this department come from dealers who want their wagon scales tested out. It entails a very heavy expense to the state to test these scales out, as it takes at least a half ton of weights to give the scale a good test. The express and freight from town to town added to the cost of drayage, which is about fifty cents an hour, makes the total expense very high, and the writer believes that there should be a fee charged for the testing of heavy scales, and at least two trucks bought capable of carrying a half ton of weights and placed in different sections of Michigan, and two men sent with each truck and a fee of \$2.00 or \$3.00 charged for the testing of all wagon scales. The writer does not believe that a fee should be charged for testing counter scales. Fees should be charged for the testing of all scales of the type of penny slot machine scales that are made for the weighing of people. In Iowa, a fee of \$3.00 each is charged for these slot machine scales, and a large sum of money is realized.

In testing the suspension scales, a percentage of 26.8 were condemned, and in the counter scales a percentage of 39. Two suspension scales were adjusted and one hundred counter scales. In the spring balances, there were 38 correct and 935 incorrect, or a percentage of 96 incorrect. These were the cheap type of scale, which the grocer is apt to buy and put on his counter for a candy scale or for light weighing. These scales will not stand up, and everything should be done to discourage their use. The prescription scales and apothecaries' weights have been cleaned up in

Michigan and the State is in good shape. This report shows a heavy percentage of dry measures condemned, but now the State has very few incorrect dry measures.

SCALES FOR TESTING BEANS.

After over a year's time, specifications have been prepared for the testing of beans which were finally adopted by the Bean Jobbers' Association.

The department has tested 60,315 Babcock cream bottles, of which 8,000 were condemned. At this writing, the percentage of bottles tested has fallen off greatly, and the writer believes it is a good thing to have all these bottles pass through the department to be tested. The creameries then are certain that the bottles are correct and the cream seller understands that the State seal has been placed on the bottle, thus giving him confidence that the bottles are correct.

A great many counter measures have been changed. The percentage of large tacks found incorrect was 40.7.

This department has investigated each complaint, and where the conditions seemed bad, has gone through and tested out all the scales in different towns and cities. It has also made careful surveys of the work of the local county and city sealers and where a sealer was not doing his work, the State has stepped in and made an inspection of that town, city, or county, which has kept the different county and city sealers up to date and doing good work. We have carried on investigations of the sale of every commodity from diamonds to a spool of thread. We have found diamond weights that were 25% short. The drug inspectors are being equipped to go out and test out the gold and diamond scales and weights. We have made a thorough investigation of the filling of paint cans and found that a large percentage of the small sized cans were short. The variation in the filling of these cans leads the writer to believe that it was carelessness in the filling. The percentage of cans having short measure would make a large profit to these manufacturers of paint. The department counted a number of manufacturers' packages of tacks, and found them running as high as 12% short, the label on the tacks bearing the statement that there were five hundred tacks to the package. The measuring of thread by this department showed that there was as high as 10% shortage on some spools. The loss to the public on a five-cent package of tacks or a five-cent spool of thread, which does not show over 10% shortage, is infinitesimal, but the tendency of the public is to buy all commodities in small quantities, and should each commodity represent a shortage of 10%, it would amount to quite a large sum of money to the consumer at the end of the year, and it is the work of the weights and measures division to keep up all of this.

The writer's hardest work is to get the sealers to reweigh packages, what we term a try-out. It is a most essential part of the sealer's work, but it has been the experience of all sealers that as soon as a grocer sees the sealer in his store, he will be giving honest weight, so it is very hard to get him with short weight, and therefore we have to rely upon the public to inform us of the dealers who are giving short weight. Each housewife should be equipped with a good set of scales, and she should reweigh all the packages that come in.

BERRY BOXES.

The worst problem that the Michigan weights and measures official faces at this time is the berry box problem. Michigan does not have a berry box law and the attorney general has informed the department in a verbal opinion that as long as the dealers sell the berries by the box that they are not violating the law, even though the box is short measure. In other states, such as Wisconsin and New York, they have laws compelling them to sell berries and fruits by the quart and pint. The last Congress passed a law compelling dealers in berries entering interstate commerce to sell same by the quart and pint. The next legislature should copy the national law so that we cannot have berries sold intrastate in the short measure boxes.

LARD.

The writer also believes that a law should be passed compelling certain sized packages in different commodities; for illustration, there should be 3, 5, and 10-pound pails of lard. The State of North Dakota has such a law, and it has been declared constitutional. At the present time, the pails are gross 3, 5, and 10 pounds instead of net 3, 5, and 10 pounds, and when the consumer asks the dealer for a 3, 5, or 10-pound pail of lard, he gets one of these gross weight pails.

LIQUIDS.

The State should also have a law that liquids such as syrups, vinegars, olive oil, etc., be sold by the pint, quart, two quarts, or gallon. The reason why such a law should be enacted is that syrups and vinegar labels are stamped in avoirdupois weight, such as 10 lb., 5 lb., 2 lb., etc. The average consumer does not know what quantity those represent and cannot very well be educated because different syrups will weigh different amounts as the body of the syrup is heavy or light, and the consumer in the past has been buying by liquid measure, and the writer has had some experience trying to change customs in weights and measures and finds that it is very hard to do this, and that it leads to a great amount of friction. The custom of selling liquids by avoirdupois weight leads to a large number of violations of the law, as dealers will sell these pails by liquid measure rather than by avoirdupois weight. For illustration, if the consumer calls for a gallon of syrup, he will be handed a 10-pound pail which lacks about a pound and a half of being a gallon. These pails are used again many times for the measuring of commodities and the consumer is short measured again. In fact the writer is convinced that certain sized packages should be set for all goods in package form, not only foods but articles of any other commodity which might be put up in package form, for illustration, any article which might be sold by avoirdupois weight such as by the pound or ounce. Certain sized standards should be set as ounce, one-quarter pound, one-half pound, three-quarters pound, and pound, as the consumer has no way of distinguishing between manufacturers' and dealers' goods as to which is the better bargain by the price that they are

being sold for, unless the weights are *clear*. A dealer may be charging a certain price for a pound of raisins. His competitor may charge a cent less for fifteen ounces of raisins. Another competitor may be charging still a cent less for fourteen ounces of raisins, and unless the buyer is keen to detect that there is a difference in weight, he may not be getting as much for his money as the dealer who sells a pound box is giving, and the consumer may think that he is getting a pound in each case.

This will apply to all other kinds of foods as well as raisins. The writer also believes that the net weight or measure law should be extended to cover all kinds of commodities, as well as foods, so that the people may understand exactly what quantity they are buying. All of these laws are made for the protection of the public. It has been found necessary in the past to make many laws for their protection, and the laws can now be extended along the weights and measures line to these things so that the public will not have to spend their time trying to figure out the different weights of different sized packages.

WEIGHTS PER BUSHEL LAW.

The writer has made a study of the weights per bushel law and he has decided that it is obsolete. In times past, there was a necessity for a weights per bushel law because the largest percentage of grains and vegetables were exchanged in trade with dry measures, but that day has passed and now nearly all grains and vegetables are being exchanged by weight, and when the price is computed by weight per bushel, the weight should be fairly accurate based upon a certain measure that would be either a stricken bushel or a heaped bushel and after a lot of experimenting the writer is convinced that outside of certain commodities, a weight per bushel law cannot be made which would be accurate enough to do justice to all the different varieties and sizes of grains, fruits and vegetables. We will take for illustration, apples. Different states have different weights per bushel for apples. The Michigan law states 48 pounds as the standard. A bushel of the variety of Northern Spies or Baldwins will weight 48 pounds to the measurement of a heaped bushel, while other varieties, such as the Ben Davis, Red Astrachan, and Yellow Transparent, will not weigh over from 42 to 45 pounds per bushel, so that the dealer who buys by weight and sells by measure can make something in the transaction without charging any more per bushel, because it is almost impossible to heap a bushel basket of Red Astrachans and get over 45 pounds. There is a difference in weight per bushel of large sized turnips and small ones. There is a difference in weight per bushel of the varieties of vegetables. Take for illustration, onions. Yellow Danvers and Silverskins will vary ten pounds per bushel in weight. So the writer has come to the conclusion that the best and most satisfactory way to compute the price on these goods is to sell them by the hundredweight or subdivision thereof. There is no necessity of quoting grain by the bushel today, as it is all weighed, and that also can be sold by the hundredweight. The practice is being followed in California satisfactorily, and Michigan should take a step in advance in this same direction.

EDUCATION.

This department has carried on a very extensive educational weights and measures campaign. Russell E. Woodruff, in connection with Lieut. Geo. F. Austin, city sealer of Detroit, carried an exhibit to each school in the city and gave them a lecture. The same was done in Grand Rapids and various other cities in Michigan. Exhibits were held at various fairs, granges and other places. All of the work and lectures at these exhibits tend to educate the public to know just what their rights in buying are, as far as weights and measures are concerned. A pamphlet was gotten out entitled, "Hints to Housewives," containing suggestions to the housewives and exposing the different practices of short weight merchants and telling them how they can overcome them. Several thousand of these have been distributed over Michigan. We find that both our educational exhibits and this pamphlet are much in demand, and would advise all people interested in honest weights and measures to ask for and get an exhibit of this nature in their locality.

NEWSPAPER PUBLICITY.

The good results obtained by our department are due in no small measure to the coöperation of the press in the wide publicity it has given us in exposing the different fraudulent practices of dealers from time to time. The writer regards the press as one of the best mediums to educate the public to be on the lookout for these practices, and it virtually makes an inspector of every housewife in the State. We have also worked with housewives' leagues and other women's organizations of the State, and find that educating them to honest weights and measures is one of the best forms of work that this department can do.

NEW EQUIPMENT.

This department has not bought any large amount of new equipment. A calorimeter was purchased for the purpose of testing the B. T. U. in gas. Upon investigation, the writer was satisfied that more fraud was practiced by the gas manufacturers in cutting out B. T. U. than by the shortage in meters. We have found as high as 10% shortage in the cities of Flint and Jackson. The writer would recommend that there be a meter law copied after the Maryland bill, which makes it a misdemeanor for the gas company for each meter found running short and provides a penalty of \$100 fine. There should also be sent out a model ordinance so that the different cities can copy same when placing ordinances upon their books. The majority of the cities have set the standard of 600 B. T. U. in their ordinances. At this writing, an outfit has been purchased to test the electric meters also.

HAWKERS AND PEDDLERS.

The largest number of complaints that come to the Dairy and Food Department of short weighing and short measuring are from the dealers called hawkers and peddlers; these are men and women who peddle goods from a wagon or push cart. The writer has come to believe that all of these should be licensed by the State with a small license fee of, say, \$1.00, the department having the right to make rules and regulations

as to the weighing and measuring devices which they shall have on their carts, and also the right to take away their license any time they find them short weighing or short measuring. This would have a tendency to make the peddler more careful for fear his license would be taken away.

The writer has made some rather radical recommendations in this annual report, but his observations as weights and measures official have convinced him that all of these are necessary for the good of business, and he believes that the best asset that a large or small business man can have is the confidence of the public in weights and measures, and all such things as 15-ounce packages of raisins and 13-ounce bottles of olive oil that are sold for a pint and things of like nature do not get the confidence of the public, and it leads to another bad condition, which enables a man who sells these short weight and short measure packages of food to cut prices. The dealer who sells the package that the public wants, such as quart, pint, pound, etc., has to get a certain price. The dealer who sells a short quart, pint or pound package form of goods, though it may be labeled correctly, is enabled to cut the price somewhat. The public does not readily distinguish the difference in the size of the packages, and the dealer who puts up a full sized package for sale has to cut his price to meet competition, and as a result he gets in short weight packages also. In the end the public is not ahead any. All of these snide packages lead to bad business methods, and the placing of laws on the statute books prohibiting same is the only way they can be eradicated. Everyone interested in weights and measures should put his shoulder to the wheel in educating the public to ask for these laws.

Respectfully submitted,

BURR B. LINCOLN,
Deputy Dairy and Food Commissioner..
In Charge Weights and Measures.

WEIGHTS AND MEASURES.

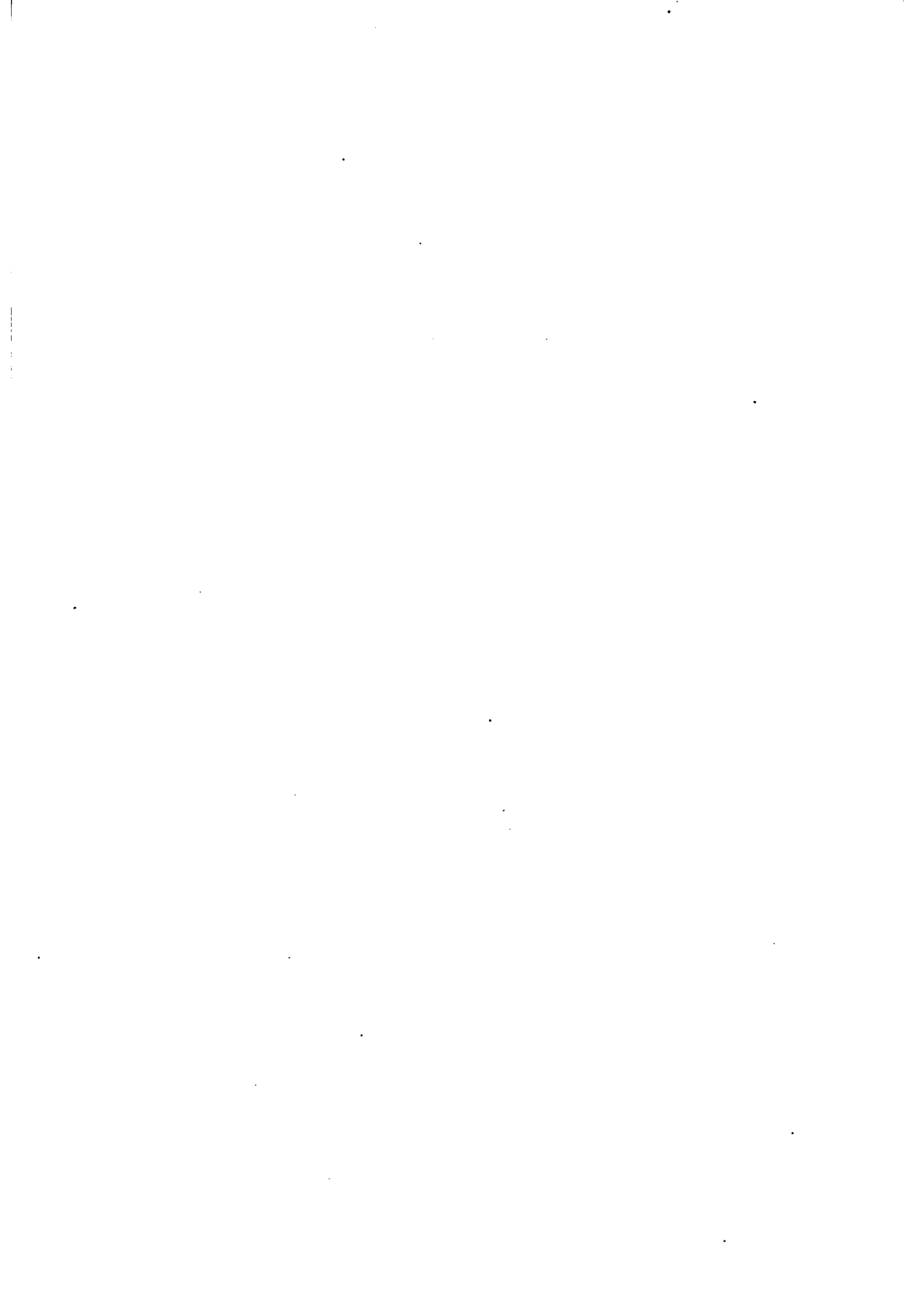
The following gives the work of the departments inspectors of weights and measures during the fiscal year ending June 30, 1916:

	Correct.	Incorrect.	Adjusted.
Railroad track scales.....	0	0	1
Hopper scales.....	19	7	0
Wagon scales.....	78	114	9
Other platform scales.....	284	97	25
Suspension scales.....	441	162	2
Counter scales.....	985	630	100
Spring balances.....	38	935	4
Beam scales.....	441	290	51
Computing scales.....	2,758	1,790	669
Slot personal scales.....	6	12	0
Cream scales.....	96	35	0
Spring ice scales.....	5	2	0
Prescription scales.....	1,049	34	13
Dry measures.....	5,575	3,968	0
Liquid measures.....	2,834	3,109	0
Milk jars.....	6,956	57	0
Automatic pumps.....	73	7	51
Baskets.....	316	217	0
Cream bottles.....	548	535	0
Bottomless measures.....	0	2	0
Yard sticks.....	1,117	88	0
Counter measures.....	5,242	3,600	42
Tapes.....	3	28	0
Graduates.....	6,616	63	0
Weights.....	12,369	1,907	114
Apothecary and metric weights.....	7,488	904	20
Jewelry scales.....	40	3	0

WEIGHTS AND MEASURES.

The following gives the work of the County and City Sealers of weights and measures as reported during the fiscal year ending June 30, 1916:

	Sealed.	Adjusted.	Condemned for repairs.
Railroad track scales.....	12	5	26
Hopper scales.....	142	28	12
Wagon scales.....	1,060	87	195
Other platform scales.....	2,568	183	433
Suspension scales.....	40	5	10
Counter scales.....	2,357	282	433
Spring balances.....	973	41	828
Beam scales.....	455	95	95
Computing scales.....	5,063	650	806
Slot personal scales.....	20	7	16
Dry measures.....	17,423	603	1,720
Liquid measures.....	13,937	3	1,790
Milk jars.....	2,073,107		78,574
Automatic pumps.....	1,108	231	106
Baskets.....	2		6
Boxes.....	175,096		136
Yard sticks.....	60		34
Counter measures.....	4,828	3,023	603
Tapes.....	31		67
Weights.....	12,155	1,152	763
Miscellaneous.....	1,624	20	750



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